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American Commonwealths.

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American Commonwealths

KENTUCKY

A PIONEER COMMONWEALTH

BY
N. S. SHALER



BOSTON
HOUGHTON, MIFFLIN AND COMPANY
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PREFACE.

THE following account of the Commonwealth of Kentucky is designed to give the general reader a short story of the development of that State. The reader will kindly observe that it is not entitled a history; the writer desires to disclaim the intention of writing anything that could be fairly termed a history of his native State. Such a work would, when properly done, require the space of several such volumes and a large amount of special research, which it has not been in the power of the present writer to give to his task; it is the main aim of this little book to set forth the history of the motives that have led the people in the shaping of their Commonwealth, using only so much of the incidents of their life as seemed necessary to make these motives clear.

Fortunately for this work, previous writers have made extensive and generally careful compilations, which give fuller annals of the Commonwealth than have been secured for any other State, except, perhaps, for Massachusetts. Chief among these is Collins's Historical Sketches of Kentucky, entitled "His-

tory of Kentucky, by the late Lewis Collins. Revised, enlarged fourfold, and brought down to the year 1874, by his son Richard H. Collins, A. M., LL. B.," two volumes, large 8vo, pp. 683 and 804. Covington, Ky., 1874. This remarkable work embodies as much patient labor as has ever been given to the history of any American State, but the multitude and variety of the facts brought together make it rather a store-house of information than a feast that invites the reader.

The present writer has made very extensive use of the material gathered by Collins. Credit is generally given in the foot-notes for the points presented by this history; but it is due to the writers of that work to say that this account of Kentucky could not have been written but for their admirable labors.

Besides this extensive series of annals there are at least a dozen other works that have a varied value to the student of Kentucky history. Of these the following may be noted for the guidance of students who desire to go further into the subject: —

1. John Filson: "Discovery, Settlement, and Present State of Kentucke." Wilmington, Del., 1784. Reprinted in England in 1792, 1793, and 1797. Translated into French and published at Paris in 1785. Filson was killed by the Indians near the mouth of the Miami River in 1788. The book is principally interesting on account of its map and for the personal reminiscences of Daniel Boone. It laid the foundations of Boone's enduring reputation as a hero of western life.

2. William Littell: "Political Transactions in and concerning Kentucky." 12mo, p. 147. Frankfort, Ky., 1806. Is only known to the present writer by title. It is an excessively rare book.[1]

3. Humphrey Marshall: "The History of Kentucky, including an Account of the Discovery, Settlement, Progressive Improvement, Political and Military Events, and Present State of the Country." 2 vols. 8vo, pp. 522 and 524. Frankfort, Ky. First volume in 1812; second volume in 1824. This is an excellent history in many respects, but is extremely Federalistic in tone, and exceedingly unjust to those who differed from the author in politics.

4. Mann Butler: "History of Kentucky from its Exploration and Settlement by the Whites to the close of the Southwestern Campaign of 1813." 12mo, pp. 396. Louisville, 1834. Second edition, Cincinnati, 1836.

The reader may advantageously consult the following works: "History of the First Kentucky Brigade (Confederate), by Ed. Porter Thompson." Cincinnati, 1868; "History of Morgan's Cavalry, by Basil W. Duke." Cincinnati, 1867.

There are several other works of less importance, an account of which may be found in Collins's "History," vol. i. p. 639, where also will be found a fuller account of the aforementioned works, with sketches of the lives of their authors.

The writer has to acknowledge his great obligation

[1] See Collins, vol. i. p. 640.

to many Kentucky friends for their aid and counsel in the preparation of this work. He is especially indebted to General William Preston, Colonel J. Stoddard Johnston, Colonel W. C. P. Breckinridge, Colonel John Mason Brown, and Hon. W. C. Goodloe, formerly officers of the Confederate and Federal armies; to Captain L. R. Hawthorne, formerly of the Eighteenth Kentucky Infantry; to R. T. Durrett, Esq., and Thomas Speed, Esq., Louisville; to S. I. M. Major, Esq., of Frankfort; to Grant Green, Esq., and to the Hon. Fayette Hewitt, auditor of the Commonwealth. It should be said, however, that none of these gentlemen are in any way responsible for the opinions set forth in this book.

It is fit that the reader should know that the writer, a native of Kentucky, was a Unionist during the war. But while his opinions have the color given by his political position, he believes that he has in most cases done substantial justice to his friends, the enemy of that unhappy yet glorious time. If injustice has been done, he can only plead in extenuation that he sincerely feels that the honor won by the Confederate heroes is as dear to him as the fame of those who were on his own side. No one can write a thoroughly unbiased account of a civil war in which he took any part whatever. The trials of such days stamp themselves indelibly on the mind. We shall have to wait until the generation which fought the war has entirely passed away before even-handed justice can be done to the men who were engaged in it.

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KENTUCKY:

A PIONEER COMMONWEALTH.

INTRODUCTION.

THE States of this Federal Union are, by the conditions of their origin, divided into three groups: first, those that were directly colonized from the Old World; next, those that were immediate outgrowths from particular colonies, deriving their blood and institutions exclusively from one of the original colonies; and, lastly, the States that are the product of a miscellaneous immigration, and do not owe their existence to any one of the original sources of population. The second class of Commonwealths is the least numerous among our States. Circumstances rarely favored the settlement of a new territory, great enough to become a separate State, from the surplus population of one district alone. In a fashion, Maine and New Hampshire are the children of Massachusetts, but each of these States has had its independent colonization from abroad, and a large mixture of blood from other regions. Kentucky alone is fairly to be called the child of another Commonwealth. She owes to Virginia the most of the people she received during the half century when her society was taking shape; her institutions, be they good or evil, her

ideals of life, her place in the nation's history, are all as immediately derived from her great mother Virginia as are an individual man's from the mother who bore him.

The population that came to Kentucky from other States, and the institutions of other States in the way of laws, customs, etc., had an introduction after the formative period of the Commonwealth, so that they have remained as foreign elements compared with the deep-rooted qualities derived from the Virginian ancestry.

This singleness of origin of the Kentucky population makes it easier and more profitable to trace its history than that of any other Commonwealth, except those originally planted on the sea-board. Its history goes back to that of the parent State even more directly than that of America to Britain. It will therefore be necessary, in order to find the foundations of Kentucky's life, for us to trace in outline the history of the Virginia people, so far, at least, as it may serve to show us the source of the nature and motives of the folk that founded the Commonwealth of Kentucky.

It is not an easy matter to see in the history of any people the forces that have made them what they are. The natural operations of a wholesome society imperfectly reveal themselves to the observer; like the functions of the well-conditioned individual body, they lie hidden beneath the surface. It is rather the diseased states of the body politic, the perturbations of function marked in the maladies of a Commonwealth, that become matters of history.

In the one hundred and fifty years that elapsed between the first settlement of Virginia and the settlement

of Kentucky, the English folk of the Elizabethan colony underwent many important changes, most of which are known to us only by their results. The organic history of this body of people during that time is most imperfectly known to us. What we know of their formative processes is trifling compared with our knowledge of those actions in the New England States. In New England the historic sense was from the first much stronger, and the methods of life were far more favorable to the preservation of historic materials. These States were founded with intellectual purposes and by educated men, who brought a definite theory of life with them, and from the first set up a strong social system that differed widely from that of the mother country. These founders represented the extremest notions of the Protestant reformation, and they sacrificed all of their inheritance that it was possible for men to sacrifice, in order to give their new plan of life control of all their actions. Never have colonies so deliberately tried to separate themselves from the past of their race. Starting with a most definite theory of their church state, they proceeded to bend all their energies to the preservation of their ideals. For a century immigration was limited as far as possible to their own sort of people. In this rigid world there was little chance of free development of the spontaneous growth of the race qualities. The result was a truly wonderful society, but one that shows a wide divergence from the parent stem. We shall do well to compare these conditions of the typical New England colony with those of Virginia and North Carolina.

First let us notice the broad distinction between the initial motives that led to these two diverse kinds of

settlements. While New England was, in a way, the offspring of the Protestant revolution, — the greatest and most beneficent intellectual movement that Europe has ever known, — the Virginia settlement and that of the colonies were, at the outset, purely commercial enterprises. What there was of faith in the inception of their history was accidental and of a transitory nature. The commercial element of the Elizabethan period is overshadowed in history by the more attractive features of its intellectual and moral development. It is easy to see, however, that commercialism was then as intense an element in the national life of England as it has ever been in any other time or place. Gold hunger and land hunger seem to have been at the root of all the national achievements. Glory was more an incident to gain than it is now. From the plays of Shakespeare to the buccaneer exploits of Raleigh, money gain was the leading motive of the national life.

The dawning splendors of success won by the East India Company awoke the quick imaginations of that time. All the new-found shadowy world of the west seemed full of such possible gains as the Indian Company was securing. Merchants and nobles made haste to organize companies to win a like gain out of these vast unexplored lands. A large share of the scanty capital of that time was embarked in adventurous schemes of colonization and conquest, and to one of these fell the region which took its name from England's manly queen.

As the conditions of the Virginia settlement and its subsequent history were profoundly affected by the scheme of its colonization, it will be necessary for us to glance at these initial stages of its growth. We shall

then see, in brief, the history of its subsequent development up to the time when the Kentucky people left this region to begin their new life. It will not be necessary to burden ourselves with any details of the Virginia life that have not served to give to its children their peculiar qualities; nor can we hope to see these formative influences except in merest outline. As before remarked, it is at best difficult to trace the organic history of a people; nowhere in America is the task so difficult as in Virginia, a region of scanty and neglected records, where men were more given to action than to recording their deeds, and where the historic sense has never been developed as it has been in Massachusetts, where it is and long has been peculiarly active.

CHAPTER I.

THE PLANTING OF VIRGINIA.

THE first Virginia company was organized in 1606, seven years after and upon the same model as the organization of the trading association that grew to be the East India Company. This Virginia company, though its strength lay in its merchant element, had its share of heroes of the large, bold, adventurous sort of the Elizabethan type. Sir George Somers, one of the commanders in the capture of San Jago de Leon, and Hakluyt, the historian of northern adventure and a man full of the heroism of his time, were among its influential men. The patent of this company gave all needed commercial powers with a free hand. If parchments could make a State, Virginia would have sprung at once into a vigorous life under the control of these enthusiastic adventurers. But while giving much, the crafty King James withheld from the corporation the sovereign power which came by circumstances to the East Indian Company, and which was most necessary to the maintenance of any distant colony in those times.

This purely business venture of the first Virginia company was a chronic failure from the beginning, though it had a precarious life of eighteen years. Misgovernment in the colony, dissensions in the company, the generally worthless character of the settlers, and

the effort to create something like a feudal land tenure brought this experiment to an end. For our purpose we have only to note that its results on the Virginia character were essentially negative, but for all that valuable; they made it clear that a good class of settlers was necessary to found a prosperous colony, but such could be obtained only by a fee simple land tenure, and that such a settlement could not be governed by a corporation resident in London, but must have a share of self-government. These were lessons fruitful of good results for the future of the colony.

With the final dissolution of the company in 1624, Virginia entered on the truly formative period of its growth. This change from the control of a corporation to the government of the crown took place before any considerable part of the Virginia blood was yet upon the soil. After the expulsion of the company, settlement went on more rapidly. The early expectations of wealth from gold mines and from commerce with the Indians had been dispelled. Never an ounce of gold was found (at least until after the colonial period), and the district was too far south for the more valuable furs. It was soon seen that the only resources were from agriculture and the shipment of timber, for which England then, as now, offered a large market. It is principally to the introduction of tobacco into the markets of Europe that Virginia owes its place in history. This plant began to be tilled during the government by the company, but during the period when Virginia was a crown colony its importance increased by leaps and bounds so that it soon became the foundation of her prosperity. The rapid development of the habit of using tobacco, — America's most welcomed gift to the

Old World, — the large profits that it offered to the tillers of the soil, led, in the first place, to a large immigration from England; and, in the second place, to the wide scattering of the population along the tide-water district of the colony, and inland as far as the eastern slopes of the Blue Ridge.

The character of these new-comers has long been a matter of discussion. With a natural pride, some Virginia enthusiasts have claimed that the population consisted very largely of gentlemen, while some calumniators of this people have striven to prove that it was mainly composed of the more worthless folk of the mother country. There is, unfortunately, no such clear evidence concerning the nature of the people that founded this State as we have concerning the people of the New England colonies. Putting together the stores of information that are at hand, we find good proof that the strength of the immigration consisted of the yeoman and squire class; next in numbers were the destitute and semi-criminal class, who were sold into temporary service to pay their fines and the costs of their transportation to the colony; and for a while, least in numbers, the Africans, who were sold into permanent slavery: of this class we shall learn more when we come to consider their share in the development and in the retardation of development in Virginia and of Kentucky. At this moment we may only note that the presence of persons held to service should not be regarded as characteristic of Virginia, implying a peculiar tone of social life in this colony. The institution of African slavery was common at this time to all the colonies, and did not differ essentially from the conditions of enforced service in Europe. African slavery

was in no essential way different from the other slavery so common in the earlier days. Even down to 1830 England tamely submitted to the enslavement of her own citizens by the Barbary powers.

The geographical conditions of Virginia were singularly favorable for the rapid extension of population over a large area. A glance at any sufficient map of this region will show the reader that the colonial part consists in the main of a very broad shore plain, with a nearly flat surface, extending from the coast of the Chesapeake to the higher land at the eastern slope of the Blue Ridge. This plain averages about one hundred miles in width, and includes an area of several thousand square miles, — equal to at least one fourth of the surface of England. This region is singularly intersected by deep tide-water inlets, which afford navigable waters with many thousand miles of shore line. The lands near these tide waters are fairly fertile, though somewhat malarious. They were easily cleared with the axe and fire, and were then ready for the plough. There was no coating of boulders which served to retard, and still retards, the development of New England agriculture. These water-ways dispensed with the cost of an extensive road system, one of the cardinal difficulties in every new State. The Piedmont district, on the table-land at the eastern face of the Blue Ridge, was everywhere within convenient reach of these fiord-like inlets, so that even there there was less trouble with road-making than has been encountered in any other American State.

In the century from 1625 to 1725 there was a steady but not great immigration from England and southern Scotland; little other blood was introduced into the col-

ony. Then came a few Huguenot French, after the Revocation of the Edict of Nantes; but the numbers of this people who settled in Virginia were less than came to Massachusetts, to New York, or to South Carolina. After 1725 the stream of new-comers grew less; the best lands were possessed, and the chances for colonists was less good than before. There was only one notable immigration from abroad after the last-named date. This came with the remarkable exodus of Scotch after the rebellion of 1745. A large part of this folk went to South Carolina, but Virginia received an immigration of several thousand of these wanderers, who took up land in and beyond the Blue Ridge, principally in Amherst, Augusta, and Rockbridge counties.

This was, in all respects, the most important contribution ever made to the Virginia population. Exiles for opinion's sake, principally of Calvinist belief, they brought to the Old Dominion something of the spirit that glorified, even while it darkened, the early history of New England. We may find the spirit of this people in every signal event in the history of the Virginia populations. They were a strength to Virginia in the Revolution, and their children gave character to the army of Jackson in the Civil War. They have furnished many of the prominent business men of the State.

From the palatinate German settlements in Pennsylvania there was, in the last part of the eighteenth century and the first years of this, a certain amount of immigration into Virginia. These people were mainly settled in the lower part of the Shenandoah Valley, and were never numerous enough to constitute any important element in the Virginia population.[1]

[1] A small portion of the settlers in the Shenandoah Valley were

This glance at the sources of population in Virginia is sufficient to show that, with the exception of the slaves, they came almost entirely from the truly British people. This character it essentially retains to the present day. At the time of the Kentucky settlement it retained it almost altogether.

We shall have to consider one point concerning the character of this Virginia blood. Although coming from the British mother country, its origin was in many ways different from that of the people who settled the Massachusetts colonies. The settlers of Massachusetts were, in the main, from the towns of Britain: they were much more generally trained to the arts, and less to agriculture, than the Virginia settlers; a larger portion of them were educated men. They were by habit a more social or perhaps a more gregarious people. This is shown in their settlements, which took the shape of villages, and did not lead to the settling of the folk in isolated farm-houses, as was already the custom of the rural English. In Virginia the colonists were principally from the country districts of England. Their absorbing passion was not for religious discussions; it was for the possession of land, for the occupations and diversions of rural life. When their interests were involved they tended not to religious disputations, but to politics. This appetite for land seems never to have been a part of the New England desires; in Virginia and Kentucky it was the ruling passion. We find the early laws of

the descendants of the Hessian soldiers who were left in this country at the end of the Revolution. It is reported that Washington, who had large holdings of lands in this valley, induced a number of these forlorn folk to settle there, furnishing them means for their start in life and to bring their families to this country. I have this important statement from Major Hotchkiss, of Staunton, Virginia.

Virginia formed to keep the people in close communities, for the purpose of better defense against the Indians; but the danger from the savages, though always imminent, was not enough to deter the scattering of the immigrants in their search for large landed possessions. There is no element in the social differences of these two populations so prominent or so instructive as this.

There can be no question that these Virginia colonists were a fair representation of the people of the mother country. Though perhaps less intellectual, less thrifty, less active-minded, than the settlers of New England, they were from the strength of the English soil, a folk bred in the open fields from all time, rich in the noblest instincts of their strong race; perhaps too much without the culture of towns, too little leavened with scholars, too little stimulated by religious disputations for their best intellectual life, but none the less good seed for the State.

In the next chapter we shall consider some of the circumstances of the development of this people during the century and a half preceding that migration to the west which founded Kentucky and several other States in the Mississippi Valley. We are limited to the merest outlines, but though the development of a people is always a difficult matter to set forth, it is simpler here than usual.

CHAPTER II.

GOVERNMENT OF THE VIRGINIA PEOPLE.

COLONIAL Virginia may be divided into two areas. We have first the vast obscurely-bounded domain embraced in the original grant, and continued by the royal charters. This included not only the whole of Virginia as it is now shown on the map, but all of West Virginia, Ohio, Kentucky, and in the terms of the charter everything westward to the Mississippi, and as much further as the colony had a mind to claim. Those were the plenteous days when empires were to be had for the asking. The Virginia that became the mother of States was a little part of this vast domain between the Alleghany Mountains and the Chesapeake Bay. Taking it for all in all, it was probably the most fortunate position for a colony that the continent afforded: a soil easily subdued; of fair productiveness, well suited to a wide range of crops; a good milk and grain country; a climate that invites to rural and to an open-air life. The seat of no climatic diseases, it was the most favorable cradle for a vigorous race that existed near the Atlantic sea-board. It has been remarkably free from famines and pestilences. It had the mingled good and ill fortune to develop the peculiar agriculture of the tobacco crop, which secured a means of gaining a degree of wealth that was obtainable in no other way, though in return it gave a permanence to the institution of slavery

that was not found in the region to the northward. The relations of the settlers with the Indian tribes were, on the whole, rather better than in the more northern regions of the Atlantic coast, although there were several massacres and the usual border warfare with the indigenous people. These were not so desperate or so long continued as in the settlements north of the Delaware. The Indians in this district were probably even fewer in number than in New England, and less warlike.

The mountain range of the Alleghanies on the west protected colonial Virginia from the fiercer tribes of the Ohio Valley, and the danger from the savages was never great enough to prevent the development of the rural spirit, the scattering of the population in the separated plantations, which is the characteristic of Virginia country life. The introduction and swift development of slavery quickly brought about an important distinction in the elements of the whole population. The caste of slave-owners became strongly separated from that of the poor whites. The wealth and power of the population rapidly accumulated in the hands of those who amassed or inherited capital, while the poor whites sank into an inferior position, became in a way dependent on the slave-holding caste, or were pushed on to the lands that were not adapted to the plantation system. This process was, in a way, gradual, and has left no marks of its operation; but before the Revolution of 1776 it is evident that it was extensively accomplished.

A society organized on this basis has some elements of strength and many of weakness. Combined with the principle of primogeniture, which gives the real estate to the eldest son, it tended quickly to create on this soil the system of strong families controlling the life about

them, and thus gave a more truly British shape to the life of Virginia than was given to the society of any other English colony that has been founded in America. This system of strong families, where power goes by inheritance, makes a rigid society, but it is very favorable to the rapid development of those qualities which secure the dominance of a State. No time is lost in trying to sort out in each generation the men of capacity from those without power; inheritance determines where the power shall lie. Imperfect as is this method of selecting those who are to rule, it works well in a new society.

Under this system there grew up in Virginia a territorial aristocracy, which, in a small way, closely imitated its English archetype in all but title. From a few hundred homes came, generation after generation, the people who shaped the State. These controlling families were not necessarily rich; they were, in most cases, wealthy only in a relative sense, but they were by birth persons of a certain distinction. They naturally looked upon the whites who belonged to the lower caste as of another race. In this they in no wise differed from their English ancestry, or from all other Europeans of their time. The New England system tended towards a pure, an ideal democracy; town government, church government, all the forces of their semi-religious commonwealths, were essentially democratic in their tendencies. In Virginia all conspired to maintain the social habits of the England, or the Europe, of the seventeenth century.

The wealth acquired by these families was spent in the ordinary luxuries of the time. A certain manner of fast living was here, as in the mother country, thought

to be the mark of gentlemen, yet politics and literature were cultivated; in general, society had a polish that it wanted in the thriftier and better schooled colonies of the North.

The clergy of this day had little control over the public mind. Religion was, to a great degree, imported with their wines and silk stuffs. Although there were doubtless worthy clergymen to be found, the colony was looked upon as a place of deposit for unsatisfactory priests from the mother country. Without perhaps sinking any lower than the church of the mother country in the time of its decay, the church in Virginia still fell far below the level of an ideal Christianity. We look in vain to colonial Virginia for any distinct religious movements until the period of the Wesleyan revival. The influence of this second reformation of the English church, in itself far higher and purer than that of Henry VIII.'s time, was very great, and profoundly affected the Virginia people. It is doubtful if any American community was ever so changed in spirit by a religious movement as was Virginia by this quickening of the religious spirit. A very large part of the population, and these the leaders of its society, were swept away from their old listless creed by this revival. The dullness in the religious life of the colony was doubtless due to the fact that the control of their church system was in foreign hands. It disappeared with the change in this relation; still it remains one of the striking differences between the life of Virginia and that of the more northern colonies.

The educational system in colonial Virginia was defective; no general method of public education was provided. The sons of the planters were educated by

British tutors, or were sent to the schools of the northern colonies or to Europe; the children of the poorer whites remained, as their ancestors before them had always been, generally unlettered. The culture of the better scholars was probably broader than that of the same class in Massachusetts in the seventeenth and eighteenth centuries; but this culture came to but few of the citizens. The college of William and Mary, though a worthy school and of much profit to the colony, never played the large part in the life of Virginia which Harvard and Yale did in their commonwealths.[1] The education of the yeoman class was what it always had been, a training in the active duties of life. To this, hedgerow schools in some cases added a little training in reading and writing, and perhaps the elements of arithmetic. These are but imperfect data for a study of the education problem among these people, but the fact that a large part of the legal papers of that day are signed by the cross is proof enough of the extreme illiteracy of the lower part of the white population.

The political life of the colonial period is not a matter that gives much satisfaction to any one who shares the pride of this people. Until we come down to the period of disturbances that ushered in the Revolution of 1776, there is little sign of political skill or of a high sense of political liberty. Little resistance was made to the general misgovernment that came from the crown. Once or twice there were little flashes of rage, such as the ignoble revolt of Nathaniel Bacon;

[1] Harvard College was so influential in the State of Massachusetts that it was thought well to have a provision in the state constitution forbidding any officer of the school to have any other official position in the State.

but the colony showed in the first one hundred and fifty years of its life little or no promise of the statesmanship, the valor, the intellectual and moral power, that were to bloom so richly in the last quarter of the eighteenth century. There is probably no transition so unexpected, so unforetold by previous history, as the awakening of Virginia after 1760. If we had been able to look over the world of that day, Virginia was perhaps the last place where we would have expected to find the power that the Revolution showed to be waiting there for the call to life.

The fact seems to have been that the original settlement brought to this soil a well-chosen representation of the English people. A life of few incidents, of simple activities, left them as if fallow for over a century. There was nothing to awaken their powers to full life. At last the accumulated dissatisfactions of the colonists over the stupidities rather than the oppressions of the mother country supplied the needed stimulus to action.

The system of society fostered by slavery did not favor the critical spirit in politics which marked the New England colonies, but it made action even more intense when the time for it came. Virginia in 1776, as in 1861, was led into rebellion by the action of its leading families rather than by the spontaneous outburst which characterized the outbreak in Massachusetts. Its yeoman class followed where their natural leaders showed the way in the former as in the later revolt. This subordination to leaders has always been a distinguishing feature of all southern societies, except, as we shall hereafter see, in Kentucky. While there is a very large element of individuality among

the chosen few, the mass remained in the silent condition that belonged to it in the mother country.

At the time of the Revolution Virginia was the most populous, and in many ways the richest, of all the colonies. Her population was less dependent on the other world than any other of the American settlements. She never was a maritime State, despite the fact that she had a longer shore line than any of the colonies except Massachusetts, and had been an exporter of ship supplies for a century and a half. Her population was nearly all agricultural, and the institution of slavery made her able to send a large part of her white men into the field when they were called to arms. This population was in excellent condition for military duty. Her considerable service in the French wars, together with various combats with the Indians in her own dominion and in North Carolina, had kept her people accustomed to arms; moreover, their well-maintained habits of field sports contributed to the same result. Not reckoning the negro population, Virginia furnished a larger share of soldiers than any other of the colonies during the Revolution. Nearly all of her loyal, able-bodied folk saw some service during this war, both in the field and in the more difficult paths of legislation. She sprang at once into a marvelous activity. Men who had not exhibited any ability in the petty and hampered politics of the colony showed at once an amazing capacity for broad-minded statesmanship and the higher work of the soldier. After a political and intellectual night of a century came this brilliant dawn of power. The seven years of the war sufficed to awaken the long-dormant energies of the people. Every hour of the struggle was fertile in intellectual growth.

At its end the sleepy and luxurious people had given a larger share of able and vigorous men than had perhaps ever before sprung from any equal population of the race. This remarkable development of character makes us regret that we cannot see more clearly the condition of nurture that had made it possible. It seems likely that it can be in part accounted for by the inheritance of culture, the united life of a homogeneous people, and the strong control that natural leaders had upon the society in which they dwelt. Still it remains a very inexplicable phenomenon, — one that has never received the attention that its singularity deserves.

At the close of the Revolutionary War, Virginia found herself with a large population that had been long separated from the ordinary pursuits of life. Their places had closed behind them; life in the Old Dominion was stagnant. The only chance open to her was in the broad fields of her great western domain. The conditions of a community at the close of a long and successful war are peculiarly favorable for the making of new colonies; and it is natural that at this time Virginia, no longer herself a colony but a State, where the best lands were much worn by a shiftless agriculture, should have been strongly affected by the colonizing spirit. These circumstances led to a very large exodus of her population to the westward. The recently founded settlements in Kentucky, begun ten years or so before, had gone far enough to prove that land in abundance and of excellent quality could be had for the trouble of possessing it. Every ambitious spirit, every man who had within him the sense of power necessary for the arduous work of facing the

dangers of a wilderness where he would have to battle for everything, with nature and the savage, sought these new fields. It is to these conditions that the new settlements beyond the Alleghanies owed the most of the population that came to them in the years immediately following the Revolution. A small portion of the Kentucky settlers came from southern Maryland and from central North Carolina, societies essentially like that of Virginia in their general aspect.

By far the most important element of the Kentucky colonists came from the soldiers who were disbanded at the close of the war with Great Britain. The number of Revolutionary soldiers who emigrated to Kentucky may be judged by the fact that in 1840, nearly sixty years after the termination of that struggle, the pension returns showed that there were about nine hundred of these veterans still living in the State; their ages, according to the record, varying from seventy to one hundred and nine years.

This, of course, was but a small part of the host who had found a dwelling-place within the State. Probably at least ten times this number had gone to their graves. Such men were, by their native strength and their deeds, the natural leaders in the new settlements, both in peace and war. Thus the Kentucky spirit was the offspring of the Revolution. The combative spirit left by the Revolutionary war was elsewhere overwhelmed by the tide of commercial life; here it lived on, fed by tradition and by a nearly continuous combat down to the time of the Rebellion.

We have now traced, in brief outline, the conditions of the people who made the Commonwealth of Kentucky from the time of their settlement in this country

to the exodus into Kentucky. We have seen that in the beginning they were mainly rural Englishmen, who came voluntarily to America, not generally under the influence of political or religious persecution, but with a view to bettering their condition as tillers of the soil.[1] It was doubtless, on the whole, a selection of the best of the country blood of the mother land. None but the vigorous, the enterprising, the hopeful-minded, undertook such changes of life in those days. The people sold to service were relatively a small part of this population, and these were in their very prime, for none others would bring a price. From this picked people, after a century or more of development in Virginia, a second selection was made to found the new Virginia of the west.

As noted on the first page of this work, such a budding of a new State from an old colony has hardly a precedent in the history of America. All the Western States, as well as those of the South, have been settled by immigrants from several older States, generally with more or less admixture of people drawn directly from foreign sources. Their composite blood has made them perplexing subjects of study, from the diversity of motives that has come from the differences in their origin. Ohio, for instance, has in its people a mingling of New Englanders, New Yorkers, English and German Pennsylvanians, Virginians, Kentuckians, Germans, and Irish.

[1] Although this statement that the Virginia colonists were not fugitives for opinions' sake is true in a general way, it must be remembered that a certain small but important part of the Virginia people came to the colony when the success of the Cromwellian party made their old homes untenable; and that another and more important part came after the Restoration had made the position of the Puritans extremely uncomfortable.

It is not possible to determine how far its qualities are due to this, that, or the other part of its population. In Kentucky, on the other hand, we shall find nearly pure English blood, mainly derived through the Old Dominion, and altogether from districts that shared the Virginian conditions. It is, moreover, the largest body of pure English folk that has, speaking generally, been separated from the mother country for two hundred years. We see, therefore, how interesting is the problem of this Kentucky population. It has been seriously maintained that the European blood tends to enfeeblement in American conditions; that it requires the admixture of new blood from the Old World in order to keep its quality unimpaired. There is an experiment provided that will give a full disproval to this hypothesis. The reader will do well to bear it in mind while he follows the history of the Kentucky people in the century of their life as it is sketched in the following pages.

CHAPTER III.

THE PHYSICAL CONDITIONS OF KENTUCKY.

BEFORE beginning the historic account of Kentucky it will be necessary to examine the physical constitution of the State. This we shall be compelled to do in a somewhat extended way, for here even more than in Virginia has this physical character been effective in determining the history of its people.

The area of Kentucky is about forty thousand square miles. Of this surface all but about five thousand square miles lie entirely to the westward of the Alleghany Mountain system, and consists of a set of table-lands, deeply indented by the southern tributaries of the Ohio River. Except along the main streams and their longer branches, where there are narrow strips of alluvial land which lie from three hundred to five hundred feet above the sea, the surface of Kentucky east of the Alleghanies ranges from five hundred to fifteen hundred feet above tide-water. The elevation of the surface increases from the district near the Mississippi on the west, in a gradual way, up to the foot of the Alleghany chain of mountains on the east. The principal area of Kentucky is thus a great much-furrowed plain, sloping very gently to the west, and declining also toward the Ohio River. On its northern and northwestern face it is bordered by this river for a length, measured along the windings of that stream, of about seven hundred miles;

on the west it is bordered by the Mississippi for about fifty miles; on the south it is separated from Tennessee by a conventional line; on the east, where its borders march with those of Virginia, the line is the crest of the Cumberland and Pine mountains; and from West Virginia it is parted by the eastern branch of the Chatterawa, or Big Sandy River. It will thus be seen that about three quarters of the periphery of the State consists of natural boundaries.

As is shown by the map, the area of Kentucky is much extended on an east and west line. It lies across nearly the whole of the eastern versant of the Mississippi Valley. While its eastern and western axis is over five hundred miles in length, its northern and southern is not over one hundred and eighty miles in extent. This great east and west extension of Kentucky is better understood when we notice that the southern borders of the three States, Ohio, Indiana, and Illinois, march with its northern border. As we shall see when we come to the period of the civil war, this peculiarity of its form caused Kentucky to have an especial political importance during that struggle.

Much as Virginia is favored by the wide-reaching tidal streams, so Kentucky is blessed by its river system. The Ohio, the most navigable branch of the Mississippi waters, gives convenient access to its six hundred miles of northern front. The Chatterawa, or Big Sandy, the Nepepernine, or Licking, the Kentucky, the Salt, the Green, the Tradewater, the Cumberland, and the Tennessee give a greater frontage on wholly or partly navigable rivers than is found in any other State of the Union. The total length of streams that have been more or less used for navigation exceeds two thousand

five hundred miles. These streams are rarely interrupted by falls or impassable rapids.

The surface of the table-land district, which includes about thirty-five thousand square miles, is very favorable for the construction of wheelways. The general surface is not very rough, the streams abound in good fords, the forests are generally so devoid of underbrush that wagons can often be drawn through them for miles. The limited area of the lowlands and alluvial plains has so far prevented the formation of swamps that not over two hundred square miles of this area is morass, and this confined to the extreme western part of the State. The districts subject to overflow by river floods do not exceed one thousand square miles, or one fortieth the surface of the State. So the region is singularly free from the evils that attend low-lying countries.

The part of Kentucky that lies within the small mountainous region of the State contains a surface of about three thousand miles. It is altogether contained between the ridges of Pine Mountain, a sharp, wall-like ridge on the west, and Cumberland Mountain on the east. It is thus a single mountain valley, lying between the two westernmost ridges of the Alleghany system. This trough which forms the valley through which flows the upper Cumberland, is one of the most beautiful of the many lovely vales of that chain. The strong outlines of the bordering mountains have given it a singular isolation. This mountain system of the Cumberland, with its nearly inaccessible hills, in good part walled out Kentucky from the eastward. These ridges were, fortunately for the needs of immigrants, broken by two deep gaps, — one, Cumberland Gap, in

the mountain of that name; the other, Pine Gap, in Pine Mountain, — through which the Cumberland River finds its way out into the table-land region to the westward. No other part of Kentucky save this single mountain trough has a truly mountainous character. All the rest is, strictly speaking, table-land, more or less deeply cut down into valleys by the streams, but the loftiest ridges do not exceed one thousand feet above the neighboring river-beds.

Let us now consider the nature of the surface when the whites first came to it. In the beginning of the white occupation the surface of Kentucky, except about six thousand square miles in the central and western part of its area, was a primeval forest. As there had been no Indian settlements in that part of Kentucky east of the Tennessee for many years, this forest territory was singularly unbroken, having a continuity of woods unknown in the other States, for the reason that no other part of the United States not a desert was ever found uninhabited by the savages and uninterrupted with their villages and clearings. This forest was principally of the broad-leaved trees; no great extent of coniferous woods existing then in the eastern part of the district. Fortunately for these settlers, the broad-leaved woods were of old growth and singularly open beneath, so that the early track-ways and wagon-roads were easily made through them.

The attraction which Kentucky presented to its first settlers lay in the abundance of the good lands that were to be had in its area. Its mineral wealth was never taken into account; the charms of gold, which had lured the first settlers to Virginia, had no place in the motives that led to the second migration of its

people. It was soon found that these lands were very varied in quality. West of the Pine Mountain range there was a region, about fifty miles in width, where the soil was lean and of little worth for the uses of the pioneers. In the middle section of the State, stretching from the Ohio River to the escarpment of Muldrough Hill, lay the rich clay lands since known as the "Blue Grass" district; yet west of them the unwooded district, known as the Barrens, which were at first supposed, from their treeless condition, to be worthless lands; and still further west a tract of sandy country like that of the easternmost district, — good lands, it is true, but not rich enough to attract the first settlers. It was this Blue Grass[1] land that was the incentive to immigration. The soil has a degree of fertility unknown in any equal area of Virginia, and unapproached there save in the Shenandoah Valley, which was already pretty well possessed by settlers before the Kentucky migration began. After the Blue Grass district was occupied, the population began to move on to the less attractive lands.

In the northern part of the State, lying adjacent to the present line of the Louisville and Nashville Railway, there was a considerable territory afterwards called the "Barrens," where the forest growth had been destroyed, except along the borders of the streams. This destruction of the timber was brought about by the

[1] The so-called blue grass consists of two species of plants, the *Poa compressa* and *Poa pratense*. These grasses are not peculiar to Kentucky; they are among the most widely distributed grasses; but on the best limestone lands of Kentucky they attain a singularly luxuriant growth. The "blue" of the name is given it on account of the peculiar hue of its seed vessels, a conspicuous feature during its time of fruiting.

custom, common to the Western Indians, of burning the grass of open grounds and the undergrowth of the woods, in order to give a more vigorous pasturage to the buffalo and other large game. To this custom we may fairly attribute the deforesting of the prairie lands in Indiana and Illinois, and perhaps of more westerly regions. The annual firing of the low-growth plants led to the killing of all the young trees. The Indians apparently began their burning of the woods on the line of the great trail from the Ohio Falls to Nashville, Tennessee. When the whites came to this country this savage custom had deforested an area of at least five thousand square miles. In another two hundred years the Indians would probably have reduced the larger part of the surface of Kentucky to the condition of prairies.

At first the white immigrants conceived a strong prejudice to this untimbered ground, deeming the absence of trees an evidence of poverty of soil. But as soon as the incursions of the Indians were stopped they saw that the forests speedily repossessed the surface. Although they then made haste to occupy it, the swift return of the forests after the Indian fires were stopped caused a large part of this prairie country to be rewooded before it could be subjected to the plough. The late Senator Underwood, a very observant person, told the writer that when he came to this region, in the first years of this century, the whole surface was covered by a dense growth of young forest trees, which had sprung into life in the preceding twenty years, or since the Indians had ceased to hunt within the State.

In woods of beech and ash it takes some centuries

of repeated firing of the undergrowth to reduce the area to treelessness, but in the barren district this process had gone on long enough to bring five or six thousand square miles to an essentially treeless condition, while around the border of the long-fired region there was a broad fringe of forest, where the fire-scarred trunks of old yet living trees stood as an open forest that would have been added to the open land when the time came for the old trees to die. This was a process of forest-killing that had doubtless been carried on over the territory of the southwest, only there the extermination of the woods was more complete and the history of its process less traceable than in Kentucky.

As already noted, when the regular hunting expeditions of the Indians into Kentucky were arrested, as they were in about 1790, this region, relieved from further firing, began to spring up in forest again. The germs of the small-seeded trees, maples, etc., were rapidly transported by the wind from the nearest remaining trees which clung about the entrances to the cañons that abound in this district and other damp places, and quickly repossessed the ground in forest; so that before settlements had made any great headway the region had been covered by a new but very dense and vigorous forest, which was harder to clear away than the older primeval woods.

The area of very fertile soil in the State — that which may be called of the first order — is about ten thousand square miles. This is equal in fertility to the best English, Belgian, or Lombardian lands, and surpasses any other region in this country or in Europe for its fitness for pasturage land. It lies on a lime-

stone rock, which by its rapid decay constantly restores to the soil the elements removed by cultivation, so that there are fields in Kentucky which have been steadily cropped, with no attention to fallow or fertilizing, for about one hundred years without apparent damage to the soil. No other land of the world is so fitted to withstand the evils of the utterly unscientific agriculture to which it has been submitted in former days. The area of second-class soils, those less fertile than the preceding, easily worn by careless tillage, still affording a good basis for agriculture, may safely be estimated at about twenty-two thousand square miles; the distinctly inferior soils, those not well suited for any grains without fertilizing, or for other agricultural use save as low-grade pasture lands, and for timber, include about seven thousand square miles. There are not over two hundred square miles of irreclaimable swamps and arid rocky fields; and not more than eight hundred square miles unfit for pasturage. Nearly the whole of the latter is forest clad, and with a little care could be made to produce good timber. It is doubtful if an equally good showing can be made for any other State in the Mississippi Valley, and there are few regions in the world where so large an area with so little waste land can be found.

The position of Kentucky brings it between the parallels of 36.30 and 39° north latitude. The height of the surface, being an average of about seven hundred and fifty feet above the sea, gives it an average temperature about three degrees colder than belongs to its position with reference to the tropics. The climate shares in the peculiarities of the Mississippi Valley; it is of the continental nature. The seasonal range of tempera-

ture is large, but less than that of any other of the Ohio group of States. The extremes of summer heat are not greater than about 100° Fahr., and of winter cold about −10° Fahr., the winter cold being somewhat less than in the States that border it on the north. The rainfall is rather larger than the average for the Mississippi Valley, the amount being about forty-eight inches. It is less liable to droughts than the States to the north of the Ohio. This is due to its larger share of the rainfall derived from the Mexican Gulf and to its more generally forested surface.

This region, owing perhaps to its excellent natural drainage and its forest covering has been singularly free from the malarious and other fevers that have proved a scourge in many of the Western and Southern States. Yellow fever has never attacked but one part of the State, namely, the town and neighborhood of Hickman, on the Mississippi River. The ordinary miasmatic fever does not occur except along the principal rivers, and there is exceptional. The climate and soil permits a considerable range of products. All the elements of our ordinary American agriculture, the principal grains, roots, fruits, etc., find favorable conditions here. Cotton is cultivated in the region adjacent to the Mississippi, and the vine has been successful in many parts of the State. The original settlers brought the industry of tobacco culture with them, and this has always been one of the staple crops; at the present time nearly one third of the American production of this plant being from Kentucky. The varied capacities of its agriculture may be judged from the fact that in each of the several censuses of the government the State has been first in some one agricultural product, and in each dec-

ade has changed the element in which it has held the first place.[1]

Although this presentation necessarily omits many important facts concerning the surface conditions, it gives some idea of the goodness of the inheritance which fell to the adventurous spirits from Virginia, North Carolina, and Maryland, who came to it in the latter days of the last century. It is only necessary to add that the soil was very easily brought to the uses of man. Lying almost altogether south of the region in which the glaciers acted, these lands were not covered with the accumulation of bowlders which have been so serious an obstacle to the subjugation of the lands in more northern regions. They are, on the other hand, as a whole, more open to the process of impoverishment by careless agriculture than the soils in glaciated countries, which, though stubborn and of limited original fertility, have the advantage that they are less quickly exhausted by careless tillage. The result is that Kentucky now contains considerable areas of exhausted land, though little that is irretrievably ruined.

Although, as a whole, the natural scenery of Kentucky is not very picturesque, it makes an agreeable impression on the mind. The surface is never perfectly level, but is cast in the broad, gentle curves that give an ever-varying grace to a country. In the richer portions the exceedingly fertile soil and the consequent luxuriance of vegetation confer a singular brilliancy on the landscape. The entire absence of grinding poverty, the vigorous growth and physical beauty of men and women, the sleek herds in the fat pastures, — all together serve

[1] The tables in the Appendix will show this fact with greater clearness.

to give the traveler through this land a sense of abiding prosperity such as comes to him in no other country. He feels that here, for once at least, the man, the soil, and the climate have fitted so well to each other that disease and poverty have but little place in life.

Statistical inquiries will serve to support this impression of the eye. The death-rate is lower than in any other State from which goes forth each year a great tide of the younger people, and pauperism is almost unknown.

CHAPTER IV.

THE GEOLOGY OF KENTUCKY.

THIS sketch of those resources of Kentucky which have had or may have an influence on its history requires some discussion of the geological structure of the area of the State. The following account aims only at the presentation of those facts which are required for an understanding of the mere outlines of this structure. Little is given that has not some bearing on the question of common resources.

All the important geological features of Kentucky it has in common with the adjacent districts of the Mississippi Valley. The bed rocks shown to the eye within its borders belong to the lowest formation commonly known in this country as the Trenton series of rocks, from the fact that beds of this age were first described from that part of New York. These rocks, which are but scantily exposed in Kentucky, though they appear in East Tennessee and Virginia, were mainly deposited in a deep, open sea. They consist of limestone and clay shales, and furnish fairly fertile soils, over which lie several other formations, known successively upwards as the Hudson River, Medina, Clinton, Niagara, mingled limestones, shales, and sandstones, deposited, as the others, in the old seas. Above these lie a great thickness of very black shales, known as the Ohio shales; still above them a great thickness of limestones,

shales, sandstones, which are commonly called the sub-carboniferous rocks, because they immediately underlie the coal. While all these vast deposits were forming, this region remained beneath the surface of the ocean, as is shown by the numerous marine fossils that they all contain; but with the last of the sub-carboniferous beds we find all at once evidence that this part of the world had been suddenly lifted above the sea, and had become overspread by forests. This proof is given by certain other seams of coal containing land plants.

It is tolerably certain that from the time of this first elevation above the sea to the present day the whole of this region has never been, for any length of time, if at all, beneath the ocean. Occasionally during the long ages of the coal period portions of it were deeply buried, as is shown by the marine animals found in the limestones that were then formed, and at many times the surface was buried beneath far-extending areas of fresh or brackish shallow waters; but never since the beginning of the coal measures has it been given over to the deep. The beds of rock beneath the surface of Kentucky, that are mainly marine limestones and shales, have probably a total thickness of nearly ten thousand feet, of which about two thousand feet are exposed to view in the central part of the State along their somewhat upturned edges. This great section is mainly composed of the remains of animals and plants that have died in the sea and been cemented together on its floor. This life-born series of rocks rests upon the old granitic and other crystalline rocks that are seen to constitute the deeper part of the earth's crust, wherever we find our way to it. Above these marine rocks we find the great series of coal measures, where only the coal

beds and a few thin limestones owe their origin to organic life; all the rest of the rocks being made up altogether of the waste of old lands in the shape of mud, sand, and gravel. This coal-measure series is about thirty-five hundred feet deep at its thickest point, which is near Cumberland Gap, in the southeast corner of the State.

This account of the rocks found in Kentucky must be supplemented by some statement of their distribution. Through the middle of the State, extending in a north and south line from near Nashville, Tennessee, to Cincinnati, Ohio, and beyond, rises a very broad, low geological ridge; not that the surface is higher, but the beds are bent upwards, as we may observe the leveled layers of wood carved over a knot on the surface of a planed board. It is here that the lowest beds of rock are exposed by the Chazy and Trenton limestone. This ridge is not of equal height in all its parts; it sags down like a broken ridgepole in the region between Lexington and the line that separates Kentucky from Tennessee, so that newer rocks, the Devonian and carboniferous strata, lie on its middle part than we find near Lexington or the Tennessee line. It is this wide geological ridge that brings to the surface the rocks which by their decay form the Blue Grass soil in the middle of the State. But for its ample uplifted back Kentucky would have had no soil to tempt the early settlers to their new home.

On either side of this principal central field of limestone and other marine rocks we have the great coal-measure districts of Eastern and Western Kentucky. That on the west is but a fragment of the great western coal field of the Ohio Valley, which extends into In-

diana and Illinois. That on the east is likewise a part of the great Appalachian coal field which occupies a large part of Pennsylvania, West Virginia, Virginia, Tennessee, Alabama, and Georgia. These two coal fields were once united over Central Kentucky, but have been worn away, leaving their waste upon the hill-tops: they have together an area of about twelve thousand square miles, of which the eastern is by far the larger and better of the two. This coal district is somewhat less valuable than that of Pennsylvania, but is exceeded in value by that of no other State. All the Kentucky coals are of the bituminous species, varying a good deal in their quality, which is generally extremely good. They are easily mined, and the total supply of this buried solar force is about equal to that of Great Britain.

Next after the coal beds the iron-ore deposits are the principal sources of underground wealth in this region. They are much less extensive and varied than those of Virginia, Alabama, Pennsylvania, Michigan, or North Carolina, but are probably exceeded by those of no other States. Owing to their close proximity to the coal beds, where the smelting fuel may be found, they are better disposed for working than any other ores, except, perhaps, those of Alabama and Virginia. The first iron smelting done in the Mississippi Valley was begun in Bath County, Kentucky, in 1790, at a time when it was deemed necessary to guard against Indian incursions against the furnace. The industry has had a considerable importance ever since this early day.

The other mineral resources of Kentucky are very limited, there being no strata exposed within the area that belong to the group of metamorphic rocks; no gran-

ite, gneiss, or mica schists; no very metamorphosed limestones, with a single exception, no specimen of dike stones. There are none of the precious metals to be found within its borders. There are some veins of lead in the limestone districts, but they are not worth the working, for they are generally narrow and belong to the type of *gash veins*, which have no certainty of extension in any direction. The very circumstances that have given so much good land and such an easily accessible surface have not favored the formation of the vein deposits of any kind. There are some deposits of petroleum, but they have never been worked to much profit, for they do not give flowing or free-pumping wells, and cannot compete with the richer deposits of the Pennsylvania or West Virginia districts.

Kentucky is richly provided with easily quarried and excellent building stones. The several limestone series all yield good coarse marbles, and several of the sandstones are among the best for their uses. Cement rocks are abundant and widely distributed, and fine clays abound in the coal measures. The oölitic beds from the sub-carboniferous limestone afford the best architectural material of this country: a massive but easily quarried rock that may be readily carved when taken from the quarry, but which hardens after exposure, and is proof against fire, retaining a warm cream color under the difficult conditions of our smoky towns.

As a whole, Kentucky is not so favored in the underground resources as it is in its soil and climate, yet in those more important resources of power derived from coal beds and iron ores it is one of the most favored areas in the country. It is naturally fitted for agriculture, in itself the best of resources, and it has a lib-

eral proportion of the most important of the earth's products, — cheap fuel, cheap iron, and good constructive stones.

Although the geological structure of Kentucky is of a very simple nature, it gives rise to some interesting local features that have had their effect on the history of the State. Among these we may mention the salt licks and the caverns, to which latter class belongs the Mammoth and other great caves of the State. The principal salt licks, in number a hundred or more, are scattered over the central or Blue Grass district of the State. They consist generally of saline springs, that bubble up from the strata of Trenton age, which have impregnated the soil about their basins with common salt. To these springs the large herbivora of the country once resorted to obtain the annual supply of saline matter that was necessary for their life. When the whites first came to this country, the buffalo, the elk, and the deer frequented these salt springs in great numbers. For many years these species of large game shot at the licks afforded the pioneers an important source of supply of food and hides. The licks were also valuable to them, as by boiling down the waters they were able to secure an abundant provision of salt, which, next after gunpowder, was the most necessary article of common use and the one most difficult to procure. To the geologist these salt licks have a very peculiar interest. In the first place, they have a remarkable origin. When the rocks whence they flow were formed on the silurian sea-floors, a good deal of the sea-water was imprisoned in the strata, between the grains of sand or mud and in the cavities of the shells that make up a large part of these rocks. This confined sea-water is gradually being

displaced by the downward sinking of the rain-water through the rifts of the strata, and thus finds its way to the surface: so that these springs offer to us a share of the ancient seas, in which perhaps a hundred million of years ago the rocks of Kentucky were laid down.[1]

About these springs there is generally a bit of swamp ground, due to the slow down-sinking of the underlying rocks as they are deprived of a part of their solid matter by the ascending springs. These swamps contain a wonderful collection of the bones of the large herbivora, which for ages resorted to these springs. Not only do we find the bones of the animals which occupied the country when the whites first came to it, — the buffalo, the elk, the deer, etc., — but, also, deeper in the mire, or in portions that indicate a greater antiquity, great quantities of the bones of the fossil elephant, his lesser kinsman the mastodon, the musk-ox, an extinct long-legged buffalo, the caribou, or American reindeer, and various other creatures which dwelt here in the time when the last glacial period covered the more northern regions with a mantle of ice. The largest, and to the geologist the most interesting, of these swamp-bordered springs is known as Big Bone Lick. This is situated in Boone County, about twenty miles southwest of Cincinnati, Ohio. At this point there is a swampy lowland around the salt springs that contains a wonderful mass of elephant, mastodon, bison, and other bones. Of the mammoth alone there are probably hundreds of skeletons, which were engulfed in the soft mud about the spring mouth, when, in the olden days, these great creatures resorted to this place

[1] For a detailed account of these licks see vol. i., part ii., p. 232, *Memoirs of the Kentucky Geological Survey*, by N. S. Shaler, 1876.

for their annual salting. When the whites first came to the district the ground was thickly strewn with skeletons. The early settlers used them for supporting their camp kettles and for seats by the fireside.

The caverns of Kentucky, especially the Mammoth Cave, have obtained a deserved celebrity. These caverns lie in the limestone rocks, which are found just under the coal-bearing series. As these limestones are better developed in Kentucky than in any other States, they afford a more extensive series of underground galleries than are found elsewhere. A region of at least five thousand square miles of area has the limestone rocks within two hundred feet of the surface penetrated by these channels, after the fashion of a piece of worm-eaten wood. These galleries are of very varied sizes: from a crevice scarcely bigger than a mole hole to those as great as the aisle of the noblest cathedral. In this area there are doubtless a hundred thousand miles of ways large enough to permit the easy passage of man. These channels are excavated by the streams that, gathering on the surface, quickly pour through "sink holes" into their subterranean ways. They are from time to time abandoned by the free-running waters, and are then slowly filled in by stalactitic incrustations, deposited by the water that trickles drop by drop through the roof.

This underground world of Kentucky is full of interest to the intelligent observer. In the vast, deep-buried chambers of these caverns he finds a still air, of perfect purity and of unchanging temperature. The scenery is often singularly majestic; again of a weird and marvelous beauty. A strange life, consisting in the main of species that never emerge from the caverns,

adds to the strangeness of this world. These species are generally blind, often quite without eyes, affording a striking illustration of the relation of the animal organism to its environment.

On the floor of the drier parts of these caverns lies a deep coating of dust, in which can often be seen the prints of the moccasins of Indians, made a century or more ago by savages who sought refuge in these caves from their enemies. In some caves this dust was used by the aborigines as a burial-place, and in these caves the bodies are preserved by the dry, pure air in a mummified condition.[1] In this dust the early settlers found a source of supply of nitre, which is the most essential ingredient of gunpowder. The earth was leached with water, which dissolved the nitre; the solution was then boiled down, and the residuum was the "villainous saltpetre," which was so necessary to the pioneers' life. This use of the common earth — "petre-dirt," in the native parlance — was introduced by Dr. Samuel Brown, who was the first professor of medicine in the West. He was chosen to be professor of that art in the University of Pennsylvania in 1799. To him the State owes much help in its early industry. Among other things he introduced there the newly-discovered art of lithography.[2]

Last among the interesting geological features of Kentucky we may notice the singular convulsion known

[1] See, for a more complete account of these caverns, *Memoirs of the Kentucky Geological Survey*, by N. S. Shaler, vol. i., part i. 1876.

[2] The art of gunpowder-making was early carried on in Kentucky, and a large part of the powder used in the campaigns of 1812 was made in the State. It is said that the negroes were the principal adepts in the art

as the New Madrid earthquake of 1811–13. In November of that year the whole valley of the Mississippi was rudely shaken by a strong movement of the earth. This disturbance was most severe in the region near the junction of the Ohio and the Mississippi, and in its energy is to be compared with the greatest shocks that the world has undergone. A large area of the Mississippi shores sank down, and a tract of several hundred square miles of good soil was permanently depressed beneath the water.

After the first few appalling shocks the convulsions became less violent, but at more frequent intervals, until at the end of two years there was a nearly constant slight oscillation of the earth, which only perturbed a small region. Gradually the movements ceased, and since that day there has been no notable shock in the Mississippi Valley. It was fortunate that this great disturbance came at a time when the country was scantily peopled, for in the present condition of the country it would cause a fearful loss of life and property.

CHAPTER V.

THE FIRST KENTUCKIANS.

It has already been noticed that when Kentucky was first settled by the whites there were no aborigines resident within its bounds except some of the Chickasaw Indians, who held a narrow strip along the borders of the Mississippi River, and a small settlement on the Ohio, opposite where Portsmouth, Ohio, now stands. The absence of resident Indians in this very fertile country, abounding in game, constitutes one of the most interesting problems of the country. It is evident that it was a recent condition, for there is abundant proof of the extensive occupation of this district by an agricultural people at a period not many centuries anterior to the time when it first became known to Europeans. The whole surface of the State, except the easternmost part, abounds in mounds, ditched and walled fortifications, and other evidences of extensive and permanent occupancy by a considerable population.

A good deal of unnecessary mystery has been woven around the history of this ancient folk termed the mound-builders. It has been supposed that they were a much more civilized people than any of our Indians; that they mark the presence of another and peculiar race on this continent. Further researches have shown that this is not the case; that these mound-builders were in fact of the same race, of the same tribes, as

our ordinary aborigines, who have by various chances become somewhat changed in their habits.[1]

In brief, the history of the earliest settlers of Kentucky seems to be this. There is no evidence yet found to show that there were any human beings in this district more than one or two thousand years ago. None of the remains in Kentucky can by any reasonable sort of inference be carried further into the past than this. The first settlers known to us were, as far as all the evidence goes, essentially like our ordinary Indians, except that they were perhaps more given to agriculture and trusted less for their support to the chase. That they were largely agricultural is shown by the fact that their remains are most plentiful in regions of good soil, and least so in the more sterile country, though there was no great difference in the amount of game which the regions afforded. They were, it is true, mound-builders, but so were the Indians of our Southern States to within the historic period. Their only peculiarity lay in the circumstance that the buffalo was as yet unknown in this country; so that this great incentive to a wild life, this abundant resource of the chase, was not afforded them. They were, therefore, necessarily soil-tillers, looking to regular labor for their subsistence. About a thousand years or so ago, perhaps less, the buffalo, a creature of the plain lands, began to appear in this part of the country. It is the present writer's belief that the way of the creature to the eastward had been favored by the deforesting of the level lands of Illinois and Indiana in the same way as the "Barrens"

[1] See the Memoir on the Mound-Builders, by Mr. L. Carr, in vol. ii., *Memoir of the Kentucky Geological Survey*, N. S. Shaler, director, Frankfort, 1883, for a full discussion of this subject.

of Kentucky had been made treeless. At any rate, the coming of this creature coincided with the change of these peoples to a more barbarous condition; agriculture became less necessary, for the chase would supply immediate needs at all seasons. This plentitude of meat appears to have had a debasing effect on all the peoples of the Ohio Valley. They no longer tilled as much; their settlements, with their mounds and forts, were abandoned as far as this epoch-making beast extended his march.

The Indians of the South, where the dense forests and the swamp-margined streams presented a barrier to the migration of the buffalo, remained principally soil-tillers, as did the Indians of New York, while other western tribes became nomadic. Extensive warfares were waged between these diversified peoples, and Kentucky became one of the principal seats of their combats, — a sort of border-land such as separated the Scots and English in their days of combat.

In Kentucky the Chickasaws alone held their ground, being the most northern of the sedentary Southern Indians. Their strongholds on the bluffs of the Mississippi and the inaccessibility of this country on account of its deep, sluggish, mud-bordered streams, seem to have given them a sufficient measure of protection against their enemies, but elsewhere in the State the Indians were rooted out by their wars.

The last tenants of the State, east of the Tennessee River, were the Shawnees, — that combative folk who ravaged this country with their ceaseless wars from the head-waters of the Tennessee to the Mississippi, and from the Lakes to Alabama.

It was no small advantage to the early settlers of

Kentucky that they found this region without a resident Indian population, for, bitter as was the struggle with the claimants of the soil, it never had the danger that would have come from a contest with the natives in closer proximity to their homes. As it was, they had not to wage a perpetual warfare with a fierce enemy, near its base of supplies, but only to deal with raiding parties, who soon exhausted their stock of provisions, which could not be supplied from the game, diminished as it was by the effective hunting of the whites. When they came to carry the war north of the Ohio, the whites found that even great military expeditions, such as that of St. Clair, might receive crushing defeats from their enemy. Any such army of Indians as were met in several of the campaigns north of the Ohio, would, for half a century after the settlement of Kentucky began, easily have made an end of this feeble colony.

It was very fortunate for this first English settlement north of the Alleghanies that it found this open ground, made difficult of access on the north by a great river, and remote from the centres of the native population. In their relatively safe place the infant colony grew strong, and from its vantage ground, which constituted a great salient into the Mississippi Valley, they were able in time to make overwhelming assaults upon the flank of the Indians north of the Ohio.

It is interesting to note that the French colonists never made the least effort to explore, much less to possess, Kentucky. They occupied, and in a way controlled, much of Indiana, Illinois, and a part of Ohio, but it is doubtful if they ever sent an explorer into the interior of Kentucky. This was due to the fact

that the French theory of occupation in America was utterly different from the English. The French endeavored to bend the Indians to their purpose, and made no distinct effort to colonize the Ohio Valley either from the Canadas or from Louisiana. As Kentucky was unoccupied by the Indians, it was neglected by the French. There is a little but rather untrustworthy evidence that they made a feeble effort to develop some of the lead mines near the Ohio, but nothing came of it.

Thus the first settlers found themselves, in the main, free from these dangers due to the savages and their Gallic allies. The land lay more open to their occupancy than any other part of this country ever did to its first European comers. The Southern Indians had no interest in it; in fact, the coming of the white man must have been, on the whole, advantageous to them, as it served to make an end to the raids of the Northern Indians. None of the tribes north of the Ohio had a very good title to the ground, or were willing determinedly to fight for it, as they did for the land about their villages. What resistance they made was soon overcome by the valor of the first of Virginia colonists that came to this region.

There is yet another circumstance concerning the condition affecting the early settlement of Kentucky that deserves mention: this is the peculiar law concerning the allotment of the public domain, which has been in use both in this State and in Virginia since their foundations were laid.

When Virginia was settled it was under a charter, or patent, that gave the control of the unoccupied country into the hands of its authorities. Although

during the British period there was a semblance of control by the home government over these allotments, they were practically managed by the colonial government alone. Grants were, after the first days of the colony, made on the payment of various fees, for surveying, etc., and a small tax per acre for the land "taken up." This is substantially the same method as that followed by the Federal government, with the important difference that Virginia, and several other Southern colonies, never made any preliminary survey of the land before it was sold to settlers. Each claimant was required to have his own survey made, designating thereon the bounds of the land occupied. This was then recorded in the land-office of the State, and gave the basis for the issue of the land-warrants. This system had advantages and disadvantages of great moment. It allowed the rapid settlement of the country and the establishment of titles long in advance of any possible map-making. With a compass and a chain a surveyor, with a few hours' work, would give the bounds of a tract of a thousand acres, so that they could be held or sold with safety. While the settlements of the Northwest have had to follow in the wake of the government surveyors, the settler in Kentucky became his own surveyor.

The disadvantages of this method were, however, very great. There being little or no limitation of size to these surveys, they were of all areas and shapes. The poor man was content with his patch of one hundred acres; the speculative capitalist of the day would, perhaps, "run out" a hundred thousand acres or more. In time half a dozen patents would be laid over the same land. Areas of unpatented land, of all shapes and

sizes, lay between the patents. As land grew dearer the would-be "blanket" patents were put over extensive districts, in the hope of capturing these unappropriated lots. Of all these conflicts the Virginia, and, following it, the Kentucky land-office took no note. To this day one can, if he please to pay the costs, "patent" any land that lies in Kentucky, and repeat the process on the same area each year. The State only guarantees the entry if the land is unpossessed under previous title of valid kind. In time a vast amount of litigation and no end of trouble came out of this scheme. At this moment, owing to the absence of records, there are hundreds of thousands of acres in Kentucky over which no sort of ownership has ever been exercised. No taxes are collected on them. If they have ever been surveyed, no one knows under what patents they are claimed. While this primitive and imperfect system of distributing the public lands was the best possible for this early day, — was, indeed, a condition precedent to any settlement at all, — it left a train of doubtful titles that has to this day proved harmful to the best interests of the State. This evil is, however, rapidly passing away, for possessive titles have, in almost all cases, remedied any flaw in the original claim. This system of allotting land is a good specimen of the American capacity for simplicity in matters which elsewhere would have been arranged in a more complicated but less adequate fashion. It should be said that this description of the method of titles does not apply to the district west of the Tennessee River; that was purchased from the Indians long after the settlement of Kentucky. This small part of the State was divided into rectangular areas, as in the Northwestern States.

The imperfection of the early land system of Kentucky may serve to show the difficulties that came to this lone Commonwealth from the absence of all governmental care in its founding. All the other new States of this Union have had their early stages of development guarded by the Federal government. They were provided with an effective land system, a system of laws suited to their needs, and the protection of government troops. The Kentucky settlements had to do without these important aids.

CHAPTER VI.

FIRST EXPLORATIONS OF KENTUCKY.

We have now noticed the principal features in the history of the folk that furnished the greater part of the early colonists of Kentucky, as well as the physical conditions of the land itself. We may next proceed to consider the history of the earliest explorations and the first steps toward the settlement of the State.

Although Virginia had a just claim to all the region of the Ohio Valley north of the parallel of 36° 30′, that is, if there were any justice in the colonial grants at all, this empire of the unknown was little esteemed in the early days of that colony. They knew only that it lay far beyond rugged mountains, peopled by their new-found enemies the red men, and claimed by their hereditary enemies the French. Some knowledge of it they had from their expeditions against the French, and the chance reports of the few travelers who ventured near it, but it was not until there began to be a need of finding place for the growing population of the colony that they turned their minds toward this country. At this time the settlements were well up to the borders of the Alleghany Mountains, — indeed, all the richer valleys of the eastern part of that chain were pretty thoroughly taken up by settlers. The greater part of this region was of a nature to be extremely repellent to the Virginia farmer. The price of grain and cattle

was exceedingly low; he was accustomed to feel that he must either have ground well fitted to tobacco, or else soil that would give a large return for his labor in the less exportable crops. Therefore the fairly good lands of the Alleghanies seemed, and indeed were, to him worthless. It is a simple application of the theory of rent taught by political economy.

The Alleghanies were, however, an extremely difficult — indeed, at first a nearly impassable — barrier to western movement. They consisted of a number of long ridges, set in rank behind rank; their slopes were steep, their forests dense, and where they were cut by streams these flowed in cañon-like gorges generally unfitted for roadways. No other than a forest-bred people would have dared this wilderness in search of cheap and good land. It is difficult to picture to ourselves the hazardous nature of this movement. We must believe that the first adventurers had slow imaginations or a rare valor, else the evident risks of their project would surely have sufficed to deter even the bravest men, spurred by no sense of duty to this enterprise of conquering a far-away and mythical land.

The colonial charters of Virginia gave to that colony a claim upon all the lands of the Mississippi Valley that lay to the west of the boundaries of Pennsylvania and New York, as well as of the colony itself. At the time when these grants were made, and for generations afterward, this western domain was to Virginia a very intangible property, if indeed it deserved the name of a possession. The little that was known about it came mostly through the French authorities, or from a few adventurous traders who had visited that country. To the Virginians of the seventeenth and the first decades of

the eighteenth century, charter rights in a country from which came recurrent dangers in the shape of French or Indian wars seemed of no value whatever. When, however, the fall of Louisburg and Quebec and other events in the warfare with the French in Canada began to show that the English were likely to win control of the continent, when the fear of the savages was somewhat diminished by a long and generally successful struggle with them, the minds of the Virginia people began to dwell upon the possibilities of that broad and fertile country which lay beyond the barren ridges of the Alleghanies.

The history of Virginia shows us that there were several reasons which led its people to desire western possessions long before the more northern colonies began to look to the Mississippi Valley for new homes. In the first place, the Virginia people came from the more rural population of England and Scotland, and from the beginning were ever in their mode of living a less urban people than the more northern colonists of America. Within the tobacco belt agriculture was a much more profitable occupation than it ever became within the northern colonies during the colonial times. This and the other crops produced by slave labor were won by a careless tillage, that rapidly reduced the fertility of the land, and made it desirable to seek fresh fields for the devastating ploughs.[1]

[1] It would not be possible to contrive a more perfect means of rapidly exhausting the soil than the method of tillage commonly in use in the old days in this Virginian country. The "tilth," or depth of the ploughing, rarely exceeded six inches, and oftener was less; ploughs were run year after year at the same depth, until there was a hard pan formed by the action of the plough heel, which shut the roots of the crops out of the sub-soil. Manuring was never under-

The use of slave labor in agriculture demands exceedingly rich soils; even with so exportable an article as tobacco, tillage cannot profitably be carried on by means of slaves on lands that are not excellent in quality. This is plainly shown by the fact that the hill regions of the South did not become occupied by slaveholders. In all the vast expanse of the Alleghanies, where the soils are relatively poor, there is scarcely more negro blood than there is in New York or New England, and those negroes who are now found there are mostly waifs recently brought by the railways and other modern enterprises. Here and there, where the Alleghanies inclose small areas of limestone rock, which by its clay produces soils of the first order, the slaveholder planted himself and for a time tilled his crops; but as a whole the institution did not fit mountain regions, however fertile the valleys might be, for the tracts of arable land were not large enough to permit the plantation system to be applied to their tillage, so that they fell to the non-slaveholding class. The student of general history will find interest in the fact that this unfitness of the Appalachian system of mountains for tillage by slaves became a very important element in the civil war. The people of this district during the conflict were either armed Union men or lukewarm adherents of the Confederacy. The Appalachian district formed a great salient of anti-slavery people that cut the South nearly in twain.

taken; not uncommonly the stables were allowed to fill with unremoved dung until the beasts could no longer enter them. When the exhaustion of the abused soil was so complete that it could no longer be profitably cultivated, the place was "turned out," the healing forests again possessed it, while the proprietor went "over the divide" and set about his devastating work on another farm.

In the middle of the last century the lands fitted for the use of slaves in Virginia, at least in that part of the State east of the Blue Ridge, were fully occupied. The Shenandoah Valley was in good part settled, and the whole of its fertile parts was possessed either by active tillers or by large owners like Lord Fairfax, who retained them for speculation. The farming class found themselves faced by the long parallel ridges of the Alleghanies, which stretch in an almost continuous wall from the border of New York State to the country of the Gulf slope, a region unfit for tillage.

The compulsion to westward migration then acting upon the Virginia people was something like that which in the olden days drove their remote ancestry from Central Asia over the lands of Europe to the Atlantic. In neither case were the people crowded in the sense that the Belgium or the Massachusetts people are now crowded together, but they were in each case aggregated beyond the limits of their conditions. With herdsmen there can only be a very few people to the square mile; with slave agriculture the number may be greater, but still far below the number that may advantageously inhabit the same district under conditions of freedom.

Even before 1750 adventurers seeking trade with the Indians had been exploring the Alleghanies for ways into the West. It had already been found that the most practicable route was by following to the southward the great mountain trough that separates the Blue Ridge from the Alleghany range of mountains. The course of this valley is nearly to the southwest, and its high-lying fertile limestone plains are drained in turn by the Shenandoah and the Roanoke, that send their

waters to the Atlantic, and the Kanawaha, or New River, and the Tennessee, tributaries of the Ohio. In this trough, that separates the eastern and western ranges of the Appalachian Mountains, the traveler can journey through a length of many hundred miles without having to pass over any difficult ways.

From this valley there are two natural ways to the Ohio: at the crossing of the New River, or from the mouth of the Greenbrier River, it is possible to turn sharply to the north down that stream, and then along its banks to follow a tolerably direct line to the Ohio, the stream itself being unnavigable for much of its length; or, better still, the mountain valley may be followed about a hundred miles further to the southwest to a point where for a considerable distance the Cumberland River and the Powell branch of the great Tennessee run for some distance parallel to each other, separated only by the narrow wall of the Cumberland Mountain. At this point the Cumberland Mountain is a single ridge, generally too steep even for horse-paths, but at several points it breaks down into traversable passes. Crossing this mountain over any of these passes, the westward farer had only to follow the Cumberland, as it cuts its way through the Pine Mountain and the irregular hills still farther to the west, to find a difficult but practicable way into Eastern Kentucky, one possible to pack animals, which could find foothold on the Indian paths or buffalo trails, and easily made possible to that ship of the wilderness, the admirable American wagon.[1]

[1] At the time when Kentucky was settled the European pack-saddle was still in general use in this country. It was almost the only means of conveying burdens employed down to the end of the six-

From the time of the settlement of the Shenandoah Valley this southward extension of its fertile lands was well known to the Virginians. As early as the seventeenth century one of the frontier forts was placed in the southern part of the valley. These ways to the West were traversed even in the seventeenth century by many of those hardy spirits who skirmish beyond the advancing lines of civilization.[1]

The first authentic report of a deliberate journey beyond the line of the Alleghanies is that of Doctor Thomas Walker, who in 1750 traveled to the central parts of the region afterwards called Kentucky, and returned with a good report of the country. This journal still exists in manuscript. He seems to have been a remarkably intelligent explorer, for he noticed the easternmost outcrop of the Appalachian coal-field, which so far is probably the first mention of any fact of a geo-

teenth century. It held on in Virginia for more than a century after it had generally passed out of service in the Old World. Remnants of its use may still be found in some of the sequestered corners of the Southern Appalachians. But for this simple instrument the settlement of Kentucky would hardly have been possible, for it was many years before a wagon road was constructed.

[1] Even as early as 1654 a certain Colonel Wood was in Kentucky as an explorer, but of his route we know little or nothing. Raffinesque, in his most untrustworthy annals of Kentucky, says that a Captain Bolt came from Virginia to Kentucky in 1660. In 1730 John Salling, a Virginian, was taken prisoner by the Cherokee Indians and carried to Tennessee, thence to the salt licks of Kentucky; a second capture by Illinois Indians led to his traveling as far as Kaskaskia; escaping from his second captivity by ransom, he finally reached Virginia again. He was probably the first Virginian to tread the way leading to Kentucky by Cumberland Gap, which so many of his fellows were to follow, but as his journey was not voluntary he cannot claim real credit as an explorer. There is also a tradition that in 1742 a man named John Howard crossed the mountains and went down the Ohio, but the fact is doubtful. (See Collins, i., p. 15.)

logical nature concerning any part of the Virginia mountains. Walker named the principal features of the country he traversed: the Waseoto mountains, which he called Cumberland; the Shawnee River, to which he gave the same name; the Chatterawah, which, with the Virginian dislike of Indian names, he called the Big Sandy. There is some excuse for his calling the finest of the Alleghany Mountains and the most beautiful of its rivers after the very unsavory George, Duke of Cumberland, and the beautiful Chatterawah the Big Sandy; for the fact is Kentucky had been recently in good part abandoned by the Shawnee Indians as a place of residence, and had become a border fighting-ground between the Indians north of the Ohio and the Cherokees and other tribes of the Tennessee Valley and the country to the south and east of it, so that the traveler had no chance to get the aboriginal names of its geographical features from natives.

In 1751 Christopher Gist, an agent of the Ohio Company, a corporation having from Virginia an unplaced grant of 500,000 acres of land, visited Shawnee town, at the mouth of the Scioto River, where Portsmouth, Ohio, now stands. Here he found a settlement containing about three hundred Indians: one part of their lodges on the southern, or Kentucky side of the Ohio, but the most on the northern, or Ohio, border of the stream. So entirely was Kentucky at this time abandoned by the Indians that this was probably the only settlement within the limits of the State, except some Indian towns along the Mississippi River. There were many Indian traders residing at this settlement, showing that the country had already been extensively penetrated by those adventurous men. Gist's explorations

were extended as far as Big Bone Lick, whence he obtained some of the fossil elephant remains.[1] Thence he followed an Indian trail up the Kentucky and across the mountains to the Kanawha.[2]

In 1752 Lewis Evans issued the first map of the region, including Kentucky.[3] It is probable that few copies of this map remain in existence. In 1756 a white woman, a Mrs. Mary Inglis, was taken prisoner in Southwestern Virginia and conveyed to Central Kentucky, where she escaped and made her way home afoot after a journey of appalling difficulty.

The narrative of her adventures is thus given in Collins's "History of Kentucky:" —

"The first white woman in Kentucky was Mrs. Mary Inglis, *née* Draper, who in 1756, with her two little boys, her sister-in-law, Mrs. Draper, and others, was taken prisoner by the Shawanee Indians from her home on the top of the great Alleghany ridge, in now Montgomery County, West Virginia. The captives were taken down the Kanawha to the salt region, and, after a few days spent in making salt, to the Indian village at the mouth of the Scioto River, where Portsmouth,

[1] Big Bone Lick was early looked upon as the principal curiosity of the country. Many of the expeditions encamped there. When first visited by the whites the bones of the mammoth and the mastodon were plentifully scattered over the ground about the salt springs. The camping parties used the ribs of the fossil elephants for tent poles and the vertebræ for seats and as rests for their camp kettles. At a later time Jefferson had a valuable collection of these remains brought to Washington and deposited in the government buildings, along with other geological material that this many-minded man brought together. These specimens remained in the patent-office until at length, it is on tradition reported, they were sent to the bone mill by one of the ignorant servants of that office.

[2] See Collins, i. 15.

[3] See Collins, i. 15.

Ohio, now is. Here, although spared the pain and danger of running the gauntlet, to which Mrs. Draper was subjected, she was, in the division of the prisoners, separated from her little sons. Some French traders from Detroit visiting the village with their goods, Mrs. Inglis made some shirts out of the checked fabrics. As fast as one was finished, a Frenchman would take it and run through the village, swinging it on a staff, praising it as an ornament and Mrs. Inglis as a very fine squaw; and then make the Indians pay her from their store at least twice its value. This profitable employment continued about three weeks, and Mrs. Inglis was more than ever admired and kindly treated by her captors.

"A party setting off for Big Bone Licks, on the south side of the Ohio River, about one hundred and forty miles below, to make salt, took her along, together with an elderly Dutch woman, who had been a long time prisoner. The separation from her children determined her to escape, and she prevailed upon the old woman to accompany her. They obtained leave to gather grapes. Securing a blanket, tomahawk, and knife, they left the Licks in the afternoon, and to prevent suspicion took neither additional clothing nor provisions. When about to depart, Mrs. Inglis exchanged her tomahawk with one of the three Frenchmen in the company, as he was sitting on one of the big bones cracking walnuts. They hastened to the Ohio River, and proceeded unmolested up the stream, — in about five days coming opposite the village their captors and they had lived at, at the mouth of the Scioto. There they found an empty cabin, and remained for the night. In the morning they loaded a horse, browsing near by,

with corn, and proceeded up the river, escaping observation, although in sight of the Indian village and Indians for several hours.

"Although the season was dry and the rivers low, the Big Sandy was too deep to cross at its mouth; so they followed up its banks until they found a crossing on the driftwood. The horse fell among the logs, and could not be extricated. The women carried what corn they could, but it was exhausted long before they reached the Kanawha, and they lived upon grapes, black walnuts, pawpaws, and sometimes roots. These did not long satisfy the old Dutch woman, and, frantic with hunger and exposure, she threatened, and several days after at twilight actually attempted, the life of her companion. Mrs. Inglis escaped from the grasp of the desperate woman, outran her, and concealed herself awhile under the river-bank. Proceeding along by the light of the moon, she found a canoe — the identical one in which the Indians had taken her across the river five months before — half filled with dirt and leaves, without a paddle or a pole near. Using a broad splinter of a fallen tree, she cleared the canoe, and contrived to paddle it to the other side. In the morning the old woman discovered her, and with strong promises of good behavior begged her to cross over and keep her company; but she thought they were more likely to remain friends with the river between them. Though approaching her former home, her condition was growing hopeless: her strength almost wasted away, and her limbs had begun to swell from wading cold streams, frost, and fatigue. The weather was growing cold, and a light snow fell. At length, after forty days and a half of remarkable endurance, during which she trav-

eled not less than twenty miles a day, she reached a clearing and the residence of a friendly family, by whose kind and judicious treatment she was strong enough in a few days to proceed to a fort near by, and the next day she was restored to her husband. Help was sent to the Dutch woman, and she, too, recovered. One of the little boys died in captivity, not long after the forced separation; the other remained thirteen years with the Indians before his father could trace him up and secure his ransom. Mrs. Inglis died in 1813, aged eighty-four. Her family was one of the best, and her daughters married men who became distinguished." [1]

In 1765 Colonel George Croghan, who had previously visited the Ohio with Gist, made a surveying journey down that stream from Pittsburg to the Mississippi. The survey was of the rudest sort; he made an error of ninety-seven miles in his estimate of the distance from Pittsburg to the junction of the Ohio and Mississippi, and similar errors in all his determinations, but his work deserves to be remembered as the first effort to do surveying in this basin. In 1766 a party of five persons, including a mulatto slave, under the command of Captain James Smith, explored a large part of what is now Tennessee, and probably extended their journey through Southern Kentucky.

Journeys to Kentucky now became frequent. Every year sent one or more parties of pioneers to one part or another of the country. In 1769 Daniel Boone and five companions, all from the Yadkin settlements in North Carolina, came to Eastern Kentucky. One of the party was killed, but Boone remained, while his companions returned to their homes. Thus it will

[1] Collins, ii. p. 53.

be seen that Boone's first visit was relatively late in the history of Kentucky explorations. Almost every part of its surface had been traversed by other explorers before this man, who passes in history as the typical pioneer, set foot upon its ground. In the time between 1770 and 1772 George Washington, then a land-surveyor, made two surveys in the region which is now the northeast corner of Kentucky, included in the present counties of Greenup, Boyd, and Lawrence.

The reader should bear in mind the fact that these movements were made in the face of grave dangers from the Southern Indians. The Shawnees, the most warlike of the Western tribes, had, it is true, been driven from their settlements in Kentucky, but the land was claimed by the Cherokees, a numerous and combative association of tribes. In 1756 the Earl of Loudon, then commander of the British troops in America and Governor of Virginia, built a fort on the Tennessee River, about thirty miles from where Knoxville now stands. In 1758 the celebrated Colonel Bird erected another fort. These forts held garrisons of several hundred men, and were mounted with cannon. Despite the strength of these outposts they were overwhelmed by the Indians, and their garrisons destroyed or forced into disgraceful retreat. The influence of the French made it impossible to effect any permanent agreement with the savages. Thus the early settlers who moved into Kentucky were compelled to face the dangers of combat with warlike tribes, emboldened by success in their combats with the whites.

The singular feature about all these early wanderings in Kentucky is, that although they had been going on for thirty years or more, many of the explorers

returning two or three times to the ground, they were moved more by the spirit of adventure than by any distinct love of gain or idea of permanent settlement. To make a perilous journey into the dark and bloody battle-ground of the Indians, and then to return with many stories of hair-breadth escapes and a scalp or two, seems to have been the motive and the end of these numerous expeditions. It is noteworthy that there is no trace of a search for precious metals in all these expeditions. That greed of gold, which was so prominent a feature in the early explorations of Virginia, was wanting in the colonization of Kentucky. This desire, never so strong in the English as in the Spanish settlers of America, appears to have been quite dead in the latter part of the seventeenth century in the colonies of the former people. About 1770 the favorable reports of these explorers began to move the minds of a more agricultural class, and from that time onward the idea of colonization and possession became more common. The system of the Virginia land-office, which permitted people to "locate" on any unoccupied land, making their own surveys and marking their own boundaries, favored this first stage of settlement.

CHAPTER VII.

EARLY SETTLEMENTS.

THE first distinct effort to found a colony was made by James Harrod and about forty companions, who found their way down the Ohio near to where Louisville now stands, and thence by land to what is now Mercer County, in Central Kentucky, where they established, on June 16, 1774, a village which they called, in honor of their leader, Harrodsburg. Earlier attempts at settlement were made at Louisville, but the fear of Indians caused the speedy abandonment of this post. At other points the explorers occasionally made temporary habitations, tilled a crop of maize for subsistence, and then continued their wanderings. But Harrodsburg was the first deliberate settlement of importance, and the first that was intended to be permanent.[1] In 1775 other and stronger footholds were gained. Boone built a fort in what is now Madison County, and Logan another at St. Asaphs, in Lincoln County.

The settlement of Kentucky was greatly favored by the decisive victory gained by Lord Dunmore's troops over the Indians from the north of the Ohio, at the mouth of the Kanawha. This battle, known as Point Pleasant, was the first pitched battle between the Ohio Indians and the whites, in which the savages had no aid from the French. Although the Indians fought

[1] See Collins, ii. p. 517.

with great bravery, prolonging the combat for a whole day, they were in the end completely routed, with great loss, and signed a treaty abandoning the whole country south of the Ohio to the whites. The signal nature of their defeat, even more than their treaty, caused the principal Ohio tribes for several years to be wary of venturing into Kentucky, where they knew they would encounter men of the same quality. This victory, though bought with a loss of about one hundred of the colonial troops, was of priceless value to the Kentucky settlements. It not only diminished the fear of the Ohio Indians in this colony, but for a time, at least, it opened the road to Kentucky by way of the Ohio. Moreover, as many of the heroes of Point Pleasant afterward settled in Kentucky, it gave confidence to its settlers in their subsequent combats with the aborigines.

That the process of possessing the land was going on with speed may be seen from the fact that Henderson and Company, land-agents at Boonesborough, issued from their office in the new-built fort entry certificates of surveys for five hundred and sixty thousand acres of land. The process of survey was of the rudest kind, but it served the purpose of momentary definition of the areas made it possible to deal with the land as a commodity, and left the tribulations concerning boundaries to the next generation. These land deeds were given as of the "colony of Transylvania," which was in fact the first appellation of Kentucky, a name by which it was known for several years before it received its present appellation.

At this time, the last year that the work of settling Kentucky was done under the authority of his majesty King George the Third, there were probably about one

hundred and fifty men who had placed themselves in settlements that were intended to be permanent within the bounds of what is now the Commonwealth of Kentucky. There may have been as many more doing the endless exploring work which preceded the choice of a site for their future homes. The men at Boone's Station claimed, and seem to have been awarded, a sort of hegemony among the settlements. On the 23d of May, at the call of Colonel Henderson, the land-agent of the proprietors, delegates from these settlements met at Boonesborough, and drew up a brief code of nine laws for the government of the young Commonwealth. This, the first legislative body ever assembled in the region west of the Alleghanies, met with all the important forms of a colonial government. The speech of the acting governor, Colonel Henderson, reads like the address of a British sovereign from the throne, with a slight addition of frontier flourishes. The chairman of the convention answered him in equally formal phrase, and, after a day or two of preamble, the unhoused parliament proceeded to business, passing the following laws [1]:—

1. An act to establish courts of judicature and regulating the practice therein.
2. An act for regulating the militia.
3. An act for the punishment of criminals.
4. An act to prevent profane swearing and Sabbath-breaking.
5. An act for writs of attachment.
6. An act for ascertaining clerks' and sheriffs' fees.
7. An act to preserve the range (that is, the right of public pasture).

[1] See Collins's *Kentucky*, vol. ii. p. 508.

8. An act for preserving the breed of horses.

9. An act for preserving game.

The foregoing laws have not come down to us in detail; we have only their titles, two of which merit notice. The Puritanic quality of the fourth of these commandments is balanced by the livelier quality of the eighth.[1]

The Boonesborough parliament adjourned to meet in September, but it never reassembled. The venture which led to its institution fell altogether to ruin, and the name of Transylvania has been almost entirely forgotten. We cannot afford the space to give more than an outline of this curious fragment of Western history.

The colony of Transylvania rested on a purchase of about seventeen million acres, or about one half the present area of Kentucky, which was made by some people of North Carolina from the Overhill Cherokee Indians, a part of the great tribe that dwelt on the Holston River. For this land the unfortunate adventurers paid the sum of £10,000 of English money. This was a form of land-grabbing by purchase from the Indians peculiar to the eighteenth century; it not having been at that time well affirmed that while States could cheat Indians out of their possessions the privilege was denied the private citizen. The Cherokees knew full well that in fact they had no title in this land to sell; the land had probably never been in their possession; it was more of the nature of unowned land than any other fertile district in the Mississippi Val-

[1] The first race track in Kentucky was laid out about 1775, at Shallow Ford Station. A man engaged in trying the paces of his horse upon this track was shot by an Indian secreted in a neighboring cane-brake. See Collins, ii. p. 521.

ley; it was, in fact, a lot of common ground where there was no lord of the manor.

Immediately after the Boonesborough parliament the position of the Transylvania company became very insecure; its own people began to doubt the validity of the titles they had obtained from the company, because, after a time, they learned from various sources that the lands of this region of Kentucky had been previously ceded to the English government by the Six Nations, and were included in the Virginia charter. In the latter part of 1775 eighty men of the Transylvania settlement signed a memorial asking to be taken under the protection of Virginia; or, if that colony thought it best, that their petition might be referred to the General Congress. This protest is a remarkably sober and well-written document, which gives us a high opinion of the character of the men who prepared it.[1]

The proprietors of the colony made their answer to this rebellion by sending a delegate to the Federal Congress at Philadelphia, who was to request that the colony of Transylvania be added to the number of the American colonies. Their petition set forth that "the memorialists, having made this purchase from the aborigines and immemorial possessors, the sole and uncontested owners of the country, in a free and open treaty, and without the violation of any British or American law whatever, are determined to give it up only with their lives."[2] Nothing came of this protest. Congress refused to seat their delegate, Patrick Henry and Jefferson, then representing Virginia, opposing the efforts of the proprietors. The Governor of North Carolina

[1] See Hall's *Sketches of History in the West*, vol. ii. pp. 236–239.
[2] Collins, ii. p. 512.

issued a proclamation declaring their purchase illegal. The colony gradually fell to pieces, though the State of Virginia took no decided action with reference to it until in 1778 that Commonwealth declared the acts of the company void, but, in a generous spirit, offered compensation to Colonel Henderson and the other adventurers. The Transylvania company received two hundred thousand acres of valuable lands, and their sales to actual settlers were confirmed by an act of the Virginia Assembly.

Thus the strongest, though not the first, colony of Kentucky, was a misadventure and quickly fell to pieces, but during its short life it did more to affirm the position of the whites on this ground than all the other settlements put together. That at Harrodsburg and other ventures beyond the Transylvania company's control were made without any moral support from beyond the mountains. Although the men who founded them were doubtless personally brave, they had not the courage to face at once the toils of the wilderness and the assaults of the savage foe. The Boonesborough settlements were planted by men of peculiar vigor, and were supported by a set of very resolute people, acting as a corporation, who had means and courage to meet emergencies. Moreover, they were in a position to exercise some choice in the character of their colonists; they saw to it that only men of character and courage were permitted in the district.

As the Indians did not occupy Kentucky, but only used it as an occasional hunting-ground, it was not difficult for the wary explorer to journey all over the land without encountering their parties; nor were the savages likely to become excited by the temporary pres-

ence in this country of small bands of the whites, who sought to exercise no possession. When, however, these wandering parties began to establish themselves on the ground the matter seemed more serious to them. No sooner had the Harrodsburg settlement been founded than the Indians assaulted its people. Although the loss from this assault amounted to but one man killed, his companions were so frightened that for a time they deserted their home; some of the panic-stricken folk escaping through the woods to the Mississippi, and thence to New Orleans, while the others returned to Virginia by the way they came. A portion of these people returned the next year after the vigorous colony of Boonesborough was founded, and refounded their village under the shadow of its protection. It will not do to impute cowardice to these lonely pioneers. We can conceive their position in this vast and unexplored forest land, without even a road to bind them to their far-off mother country; where at any moment an overwhelming force of fierce enemies might spring from the dark woods. The greatest difficulty was to bring these little bands to a sense that they could by determination meet and make an end of these dangers; that all alone in the wilderness they could deal with this savage foe who had so recently beaten the armies of Braddock and of Washington. This lesson of patient, enduring courage was taught by the Transylvania company; it could not well have been gained except through such strength as this vigorous and determined company gave to its settlements.

The history of the assaults on the Boonesborough station is much like a host of other histories of Western settlements, but it has for us a special interest for

the reason that the attacks took place in the very beginning of the struggle of outlying settlements with the Indians of the Mississippi Valley, and that they were met by small parties of isolated men, who could hope for no aid of state or national government, and who had no resource except what they found in themselves, or might obtain from the proprietors of the colony.

The first task of the Transylvania company was to cut a "trail" or horse-way from the Holston Valley to Central Kentucky; this work was done under the command of Daniel Boone, then a servant of the company. It was an undertaking of no great difficulty, as the only aim was to make a way passable to pack-horses, but it was a work which required some time. The party constructing this road was observed by the hunting parties of the Indians, and their undertaking was seen to be a more serious matter than the previous desultory invasions of their land.[1] The first engagement between the whites and Indians on Kentucky soil came at the end of this task of road-making. Boone and his men were sleeping without guards, when just before day the Indians rushed into the camp. A portion of the company was put to flight, which did not end until they were safe in Virginia, but the remainder rallied and held their ground. A negro servant was killed; Captain Twetty, one of the leaders of the party, was killed; and a young man, Felix Walker, wounded. The success of the whites in beating off the Indians, their courage in waiting under arms by the side of their wounded man for twelve days until they could carry him to the site of the fort which they intended to build, were fortunate for the future Commonwealth, for they thereby gained a

[1] See Collins, ii. p. 497.

confidence which enabled the little band to meet yet more serious perils. Two days later the same party of Indians assailed another camp and killed two men. Boone's letter to Colonel Henderson gives us the first clear view of that cool, intrepid man, who was to do so much for the early settlement of Kentucky.[1] Collins, in his History of Kentucky, gives extracts from the very interesting diary of Colonel Henderson. This man was one of the heroes of his time. Born in Eastern Virginia, of poor parents, ignorant of the alphabet until he came to man's estate, he forced himself by sheer strength to a high position as a leader of men. After the dissolution of his colony he settled in the great domain which Virginia granted to himself and his associates in compensation for their efforts in founding the Transylvania colony. His diary shows that he was one of the few frontiersmen who could admire the beauties of the world about him even amid the cares that beset the colonist.[2]

Bringing their wounded man with them, Boone hastened to the point on the Kentucky River which he had chosen for his stronghold. The position was well taken. It was on the south side of the principal river of the State, sufficiently advanced to protect a large tract of country by receiving the blow of invasions, and not too remote to hope to maintain its connections with the base of supplies in Virginia and North Carolina. The settlements in East Tennessee defended this part of Kentucky from the Southern Indians.

The Virginia experience with Indian warfare had already shown the best method of making a simple fortification that would serve well both for shelter and for de-

[1] Collins, ii. p. 498. [2] Collins, ii. p. 500.

fense against savage warfare. The Boonesborough fort is a type of all these early fortifications, and as the first Kentucky stronghold merits a brief description. The fort was laid out as a parallelogram, about two hundred and fifty feet long and one hundred and twenty-five feet wide; at the four corners log-houses, each two stories high, were built; the part of the walls of those block-houses that lay beyond the fort were without windows, but pierced with loopholes, from which a clearing fire could be delivered along the curtains of the fort. The sides were formed in part by the outer walls of cabins, and in part by lines of stockade, made by placing squared timbers vertically in the ground and binding them together by a horizontal stringer or stay-piece on the inside near the top. The steep roofs of the houses were covered with thick slabs of riven beams, held in their places by means of horizontal bars of wood laid upon them and tied by withes to the rafters. Iron was little used in these early constructions of the wilderness, and to this day houses are built in the mountain districts of Kentucky which do not contain a pound of the metal. Two gates of stout framed wood in the middle of the longer side, commanded on the inside by the small windows on the inside faces of the houses, and on the outside by the loopholes of the block-houses, completed the outlines of this primitive castle. As long as artillery was not used — and in the early fights it usually had no place — such defenses were all that could be desired. The central square gave a large space for herding cattle. Each cabin was separately defensible, and the tolerably complete separation of the several houses made them safe from conflagrations; one cabin could be burned without involving the destruction of the others.

This system of a defensive village differs in certain ways from anything known in other countries. I have been unable to find that it had been used at an earlier period in other parts of America outside of the Southern colonies: it probably never was used in Europe. It is likely that it is a modification of the Indian stockade, already known to the early settlers. It is an admirable adaptation of the defensive quality of the log-house to the modern rifle; when defended by a score or two of deliberate and determined men, such a fort cannot be taken by escalade, for each block-house is a keep that has to be taken by a special assault. The only risk is from an enemy being able to fire the houses, but with a sufficient supply of water a fire can readily be extinguished from the inside. Although there was no care in providing these structures with a moat or ditch, they proved remarkably successful forts, and were never carried against a reasonably good resistance. This pattern of stronghold became the type of all stations constructed in Kentucky and elsewhere.

The weapon of these pioneers, the small-bored, long, heavy-barreled rifle, was the best gun that has ever been used by the frontiersman in the forest. Its small charge made the supply of lead and powder less difficult than it would otherwise have been, and up to one hundred and fifty yards (the ordinary limit of forest ranges) it was an exceedingly accurate weapon. With one hundred sturdy men for a garrison it would be very difficult to take such a fortification, even with well-disciplined troops; against Indian attacks it never failed to prove a sufficient defense.

The contest with the Indians went on in a desultory way while the Boonesborough fort was building; but it

was not until two years after its construction, when the Revolutionary War had begun and Point Pleasant had been forgotten, that the Indians assailed it in force. On the 15th of April, 1777, a fierce assault was made upon it by a small party of savages; but the Indians were beaten off with considerable loss, while that of the whites was trifling. On the 4th of July of the same year another attack was made, in which the Indians again lost so heavily that they hurriedly left the country.

On the 8th of August, 1778, they returned in much larger force. The attack which they now made was not like the others, a mere raid of wandering parties; the Revolutionary War was now so far advanced that the savages were under the lead of British officers, and under their direction acted with far more skill than they could do alone. In this last great attack the fort was summoned by a British officer acting under his own flag, so that this capital little event deserves a place among the actions of the Revolutionary War. When summoned to surrender, Boone obtained two days for deliberation, which appears to have been granted under singular conditions, for it is stated that he used the time in getting the cattle into the fort, and in other preparations for resistance. He then, with the unanimous approval of his garrison, resolved to withstand a siege. After this well-contrived beginning, Boone, who seems to have had a rather unsuspicious nature, accepted an invitation to go with eight of his men beyond the walls of the fort for further treaty. After some parleying the enemy attempted to capture the party, but they escaped to the fort under a fire that wounded only one man. The active siege of several

days proved fatal to a large number of the assailants. The British commander then endeavored to drive a tunnel from the river bank into the fort; but this was discovered in time, and effectually countermined by the defenders. On the next day the siege was raised, the Indians having sustained a loss, it is said, of thirty-seven killed, while the loss of the garrison was only two killed and four wounded.

After this, the last siege of Boonesborough, the fortified posts of Kentucky were rapidly pushed into the fertile and attractive Blue Grass region of Central Kentucky, and soon became so numerous that Boone's Station was no longer of importance, and other posts received the blows which the Indians delivered against the increasing settlements.

In December, 1776, Kentucky County was divided from the County of Fincastle in Virginia, Harrodsburg being designated as a county seat. This was the first legislative recognition on the part of the mother colony of the individuality of the western settlements. Hitherto Kentucky had been legally only the western fringe of the outermost Virginia county.

The pressure of the Revolutionary War upon the resources of Virginia was so serious that we find no recognition of the Kentucky settlements during the year 1777. But in 1778, the raids of the Indians in Kentucky having evidently been instigated by the British, Colonel George Rogers Clark, who was afterward to play a large part in Western affairs, was sent with an expedition against the posts in Illinois. With one hundred and thirty-five men, mostly persons who had been trained in Indian warfare, he made a very remarkable forced march through the wilderness from the Ohio

River to Kaskaskia, and captured the place by surprise. In swift succession he took Cahokia and Vincennes. Coming in the same summer with the great failure of the British and Indians in the third siege of Boonesborough, these important events did much to affirm the position of the Kentucky settlements. The pioneers were yet to endure severe tests, but their achievements gave them a measure of their strength and a gauge of valorous actions, so that henceforth they felt strong enough to maintain their place. Their victories made the ground seem their own.

At the end of his campaign Clark built a fort at the falls of the Ohio, the first stronghold on this stream. By one of his swift movements he repossessed himself in February, 1779, of Vincennes, which the British from Detroit, under Governor Hamilton, had recaptured in December. In the next year, inspired by the success of his campaigns, another movement was carried north from the Ohio against the Indians at Chillicothe. This expedition was beaten back to Kentucky, but the Indian town was burned and two chiefs killed.

By the end of this year that part of Kentucky which lies north of the Kentucky River had been occupied by several small stations. Notwithstanding the Revolutionary War, perhaps in part on account of the disturbances which it brought about in Eastern Virginia, a heavy immigration into Kentucky began in 1780. The annual tide of immigration in this and the following years must have amounted to at least five thousand souls per annum. Three hundred boats, containing at least three thousand people, descended the Ohio to Louisville this year. Monette estimates that the population in 1783 amounted to about 12,000. In 1784 it is

estimated that it amounted to 30,000. In this and many following years the work of war and settlement went on together. A column of British and Indians about six hundred strong, with two pieces of artillery, penetrated Eastern Kentucky and captured two stations near where Paris now stands. They did not remain to try conclusions with the settlers, who swiftly gathered to meet them, but escaped in safety to Detroit, whence they came. The blow was revenged by a counter stroke from the ever ready Clark, who first built a block-house fort at Cincinnati, where the British had crossed the stream, to guard against future raids up the Licking Valley, and then went northwards to ravage the towns of Piqua and Chillicothe.

Settlements now began to spring up all over the area of good lands. The Virginia government erected a fort on the Mississippi, a few miles below the junction of the Ohio, thus marking the westernmost limits of the colony. The original county of Kentucky was divided into three: Jefferson, Lincoln, and Fayette, each with a military commander having the rank of colonel, who had under him a surveyor-general of lands.

The year 1781 was an uneventful one, the only serious action being an assault on the garrison of the Mississippi fort by the Chickasaws and Cherokees, which, though repulsed, was ominous of trouble to come, for it brought those tribes, which had previously given little trouble to the whites, into the list of their numerous enemies.

The establishment of this fort was the work of Governor Jefferson. It was an unnecessary demonstration of energy, such as is apt to happen when an effort is made to manage the difficult business of governing a

colony with a long arm. Against this blunder we may set the general sagacity and liberality of Virginia's management of Kentucky affairs. Even in the distress of the Revolution, she had always something to spare for her more sorely tried children of the western hills, and no Virginian ever had a warmer heart towards Kentucky than Jefferson. He had a keen imagination, and a singular power of projecting his sympathies afar. In the preceding year he had secured a large gift of lands for the work of education in Kentucky. Virginia had nothing else to give, and the gift was an easy one to make; but it deserves to be remembered that in the time of severest trial the mother colony bethought herself of the intellectual interests of these far-away children.

In 1782, the struggle with the British and Indians was even more fierce and sanguinary than in the preceding years. In March, a party of about seventy-five Wyandot Indians crossed the Kentucky River above Boonesborough; their presence in the country was made known by the fact that a raft which they had used in crossing the river, and then turned adrift, floated by the fort. The commander of the fort, who with the sagacity of the frontiersman correctly interpreted this sign, sent runners to warn the neighboring stations. The men of Estill's Station went in search of the enemy, but in the chances of the forest did not come upon the savages until they had been to the station and killed a young woman within sight of the fort. Near Mount Sterling the pursuing whites caught up with the enemy and at once assailed them. At first the Indians were driven back, but their chief being sorely wounded they rallied about him. The whites followed their usual

tactics, and detached six of their twenty-five men to turn the Indian flank and deprive them of the protection that the timber afforded them. These men of the flanking party were seized with a panic and fled; the remaining Indians rushed upon the diminished force of the whites, and after a fierce hand-to-hand struggle drove them from the ground. Estill, the commander, was killed, and six of his men met their death from the tomahawk. Measured by the forces engaged or the loss in killed, the affair was a trifling one; but it showed in the Indians a quality of determination which indicated that they were becoming better skilled and steadier in warfare, and that they were, numbers for numbers, quite the equal of the whites.

In August of this year, a party of whites, under Captain Holder, attacked a party of Indians at the upper Blue Licks, and was worsted, with a loss of four men. In the same month a force of six hundred Indians belonging to various tribes, and commanded by the famous Simon Girty, moved unseen across the northern part of the State and surprised Bryan's Station, situated at a point about five miles north of Lexington. Fortunately, the fifty men of the station were engaged in night preparations for an expedition to avenge Holder's defeat. This deterred Girty from his purpose of carrying the neglected and weak fortification by storm, for the notes of preparation within it satisfied him that his movement was discovered. But it was not until the gate was thrown open to permit the marching forth of the command on their way to the Blue Licks that a volley from the savages showed the whites that they had a foe at their doors. They were in no condition for effective defense; their palisades needed repair, and

the fort was destitute of water, the spring being at a considerable distance from the gates. This want of water was a common difficulty in these stations, and in several sieges led to great suffering. At first sight it seems a very stupid neglect of the most ordinary precautions, yet, like the other stupidities of a clear-headed and generally prudent people, it admits of explanation. The first necessity of a station was that it should have a salubrious site, and this is never obtainable at points where a spring breaks forth. The fact that at almost any point in Kentucky a well will procure water was as yet unknown, and was against the prevailing opinion of the time, which was that the water all ran in special underground streams. Some notice of invasions was always hoped for, giving time for water enough to be stored in the fort to meet the needs of a siege.

The garrison of the station acted quickly and effectually. Two mounted messengers at once broke through the Indian lines to carry warning to other stations. Everything depended on these runners getting away, and many of the most valorous acts of this border warfare centre around these sallies. Then the women were told that the safety of the fort demanded that they undertake to bring a supply of water from the spring, the leaders judging that the Indians would not fire on them, as thereby they would unmask their place of assault. The event showed that they estimated their foe rightly. These brave creatures went in a body to the spring, and returned with a supply large enough to meet all needs. It is probable that the reader will not altogether like this episode. It seems an ungallant thing for men behind barricades to send women into the open before the guns of an enemy. Yet as we cannot question the

valor of these men, we are forced to believe that it cost them more to send the women on such an errand than to have charged upon the hidden foe; we must, however unwillingly, admire the clear-sighted craft that remedied their otherwise fatal deficiency.

As soon as the fort was supplied with water, the leader, Captain Craig, made another shrewd move. A detachment of thirteen of the younger men was sent out to attack the savages, who had made a feint against the side of the fort away from the spring. They were to fire as fast as possible and make a great din, in order that the force presumably in ambush on the spring side, supposing that the whole garrison was engaged in the sally, might make their contemplated assault on the point which they expected to find undefended. The plan succeeded as it deserved. The principal body of the enemy believed that the whole garrison had been inveigled into a battle beyond the walls. The party of Indians making the feint rapidly fell back, as they were instructed to do, and as soon as the sound of firing showed that their pursuers were far from the fort, the main body of Indians, several hundred in number, sprang from their hiding-places and rushed upon the seemingly unmanned wall. They met the steady fire of forty well-aimed rifles, and, after a courageous assault, were beaten back with great loss. While the foe was endeavoring to carry this wall, the party that had made the sally, informed by the firing that their work was done, returned through the opposite gateway, before the foe, baffled in their assault, had closed around the fort for a regular siege.

The mounted men who broke through the Indian lines at dawn found the Lexington garrison on its way

to Blue Licks. By hard marching, these men, a part on horseback and a part on foot, hastened to the fort. Girty, knowing that messengers had broken out, laid an ambush for the returning forces near the station, where the narrow road was bordered on one side by high corn and on the other by a dense wood. The eager rescuers fell into the trap, but the horsemen knew that to turn about would be fatal, since it would give the foe time for aiming; so they spurred through the fire and won the fort, their speed and the cloud of dust making the aim of the excited savages so poor that none of them were killed. Scurrying horsemen are bad targets, and the western rifle, on account of its length and weight, is the worst possible arm for use on moving objects; moreover the Indian appears always to have been less steady under the strain of excitement than the white man. The footmen who were creeping to the fort through the maize came to the rescue of the horsemen, to be scattered before the tenfold force of their enemy; but most of them, owing to the shelter of the high-growing Indian corn, escaped; only six were killed. When night came Girty was discouraged. His force had lost heavily, the beleaguered garrison had received a daring reenforcement, and he knew that overwhelming forces would soon be upon him from neighboring stations. Whatever was to be done must be done at once. Therefore, sheltering himself in the darkness, he crept to a place behind a stump, whence he hailed the garrison and demanded their surrender. The colloquy is so picturesque that we give it as Collins tells it:[1] —

"He highly commended their courage, but assured them that further resistance would be madness, as he

[1] See Collins, ii. p. 190.

had six hundred warriors with him, and was in hourly expectation of reënforcements with artillery, which would instantly blow their cabins into the air; that if the fort was taken by storm, as it certainly would be when their cannon arrived, it would be impossible for him to save their lives; but if they surrendered at once, he gave them his word that not a hair of their heads should be injured. He told them his name, inquired whether they knew him, and assured them that they might safely trust to his honor.

"The garrison listened in silence to his speech, and many of them looked very blank at the mention of the artillery, as the Indians had, on one occasion, brought cannon with them and destroyed two stations. But a young man by the name of Reynolds, highly distinguished for courage, energy, and a frolicsome gayety of temper, perceiving the effect of Girty's speech, took upon himself to reply to it.

"To Girty's inquiry, 'whether the garrison knew him,' Reynolds replied, 'that he was very well known; that he himself had a worthless dog, to which he had given the name of "Simon Girty," in consequence of his striking resemblance to the man of that name; that if he had either artillery or reënforcements, he might bring them and be d—d; that if either himself or any of the naked rascals with him found their way into the fort, they would disdain to use their guns against them, but would drive them out again with switches, of which they had collected a great number for that purpose alone; and finally, he declared that they also expected reënforcements; that the whole country was marching to their assistance, and that if Girty and his gang of murderers remained twenty-four hours longer before

the fort, their scalps would be found drying in the sun upon the roofs of their cabins.'

"Girty took great offense at the tone and language of the young Kentuckian, and retired with an expression of sorrow for the inevitable destruction which awaited them on the following morning. He quickly rejoined the chiefs, and instant preparations were made for raising the siege. The night passed away in uninterrupted tranquillity, and at daylight in the morning the Indian camp was found deserted. Fires were still burning brightly, and several pieces of meat were left upon their roasting-sticks, from which it was inferred that they had retreated a short time before daylight."

Not long after the Indians decamped, forces from other stations began to arrive; by noon there was a party of one hundred and sixty men together. As the Indian force was estimated at six hundred, and as experience had proved that this race was as formidable after defeat as after victory, prudent advisers counseled waiting until a larger force was gathered. Such a delay was likely, however, to give the Indians a chance to escape altogether; so, although Boone, Todd, Trigg, and forty-five other commissioned officers were in the council of war, immediate pursuit was undertaken. It will be observed that even in this early day the proportion of titled men to the untitled was about one in three, but they deserved their brevets. Late on the morning of the 19th of August the speedy march brought the pioneers upon Girty's force. It was evident to Boone and the other more deliberate soldiers that the Indians were loitering with the expectation of pursuit; and to any men disposed to take counsel of their fears the situation of the whites was at least a very grave one.

They were in face of thrice their number, from whom even to receive an attack would have been extremely perilous. To give such an overwhelming foe the immense advantage which in forest contests belongs to the defender is madness to any but these wild spirits thirsting for vengeance. The true military policy would have been to fall back towards the oncoming force of three hundred men under Logan of Lincoln. After that the best thing would have been to fortify themselves where they were, and await the attack which the Indians would probably deliver. Boone was the natural leader of the force, and though a cool-headed man was too diffident to assert his opinions.

Todd was actually in command, if any one could have been deemed in command of such an undisciplined body. Boone advised either that they await the coming of Logan, or that if an immediate attack were resolved upon their party be divided and a portion used for a flank attack, so as to deprive the savages of the full measure of protection which the timber would afford against an assault in front. He knew the country well, and while a thoroughly brave man, he was disposed to fight with foresight and an eye to the shifts of the wary race he had been combating for the previous ten years. While the deliberation was going on, a certain Major McGary swung his hat in the air and cried, "Let all who are not cowards follow me." This was a challenge that made an end of deliberation. Among the men of that day a banter to any act of daring was a thing not to be considered, but to be accepted without debate.

The whole party, horse and foot commingled, rushed into the Licking River and struggled to the opposite shore. Before them was a slope, worn bare by the

trampling of the buffalo on the way to the salt springs which lay a little beyond. Pursuing this path of the wild cattle, they went pell-mell for the distance of a mile before they encountered the enemy. Wearied and disordered by their long charge they came at last to a point where the ridge they were traversing was cut by bush-clad ravines on either side. Then at once from the dense, brushy wood there came upon them a withering fire from the Indian rifles, which quickly brought them to a stand. When the advance of the whites was arrested, the Indians skillfully began to extend their lines so as to enfold the thinned ranks of the whites as in a net. As soon as this object became plain, a panic as wild as their late confidence seized on these men, and they rushed back towards the river with the Indians in furious pursuit. There was a fierce struggle at the ford, where the tide of flight and chase plunged together into the stream. A score or so of the horsemen succeeded in crossing the stream before the mass of the fugitives were overwhelmed by their pursuers. One of their number, by the name of Netherland, who had previously been regarded as cowardly, succeeded in rallying some of his comrades, so that he brought a well-directed fire upon the advancing enemy, arresting for a moment the pursuit. But for this action few of the footmen would have escaped. As it was, the respite was brief. The Indians crossed the river above and below the ford, and sought to surround the fugitives. The beaten Kentuckians dispersed through the forest, finding their way by circuitous routes to their homes.

In this action the loss of the whites was about sixty-seven killed and seven made prisoners, or near one half the men engaged. It amounted to about one tenth of

the fighting men in Central Kentucky, and unhappily included a very large number of the natural leaders of the settlements. Colonels Todd and Trigg, Majors Harlan and Bulger, and Captains Gordon, Bulger, McBride, and Lindsey, were among the slain. Boone's son Israel was mortally wounded in the fight; his father succeeded in bearing him from the field and into the forest, beyond the line of the struggle, where, alone, he watched him until he died.

This terrible defeat seemed for a moment to cow the spirit of the settlers. Even Boone, in a letter to the Governor of Virginia, said that unless five hundred troops were sent to aid in the defense, the country could hardly be held. This feeling was, however, but momentary. When Colonel Clarke called for troops to avenge this raid of the Indians by a foray into Ohio, nearly a thousand men answered his summons, and rendezvoused at the mouth of the Licking River, where Covington now stands. This force ravaged a number of large Indian settlements on the upper waters of the Great Miami, destroying a large area of corn-fields and burning the dwellings.

The principle that appears to have underlaid the white warfare in these years was to abstain from invasions north of the Ohio, except in retaliation for Indian raids, and then to make them much more destructive than the blows they avenged. Thus, in time, the principle of profit and loss led the red men to be less willing to rouse a hornet's nest about their ears by their forays. In fact, the vengeance taken for Girty's raid was so severe that no other large concerted invasions of Kentucky were undertaken, though for many years small bands of Indians in search of plunder often crossed

the Ohio. The treaty of peace between Great Britain and the United States, the news of which came to this district in the spring of 1783, also did much to end the large and deliberate contests between the Indians and whites.

CHAPTER VIII.

SEPARATION FROM VIRGINIA.

THE years 1783 and 1784 were years of consolidation and growth. The population was still so scattered that there was no commerce. It is on record that the second store of the colony was opened in 1783, and the third in the following year. As the white population, within the bounds of the present State, was now somewhere about thirty thousand souls, the primitive condition of supply is indicated by these facts. In these years the first distilleries were started. From all we can learn, it appears that the first decade of Kentucky life must have been lived without any considerable amount of alcoholic stimulus. The art of brewing, which the colonists brought from England, was lost in Virginia, where beer was never a common drink, and the still was a contrivance too costly to find a place in the life of a people who had returned to very primitive ways of living, and had nothing to spare for luxuries.

The rapid gain in confidence which came from the natural growth of these years and the diminution of Indian raids shows itself in the political movements which now began to stir among the people. The pioneers having secured the beginnings of the State, desired to have their future life in their own hands. On every side arose a demand for a parting from Virginia and for separate life. There was no clamor or ill-will in the

movement, and no suggestion of enmity toward the beloved mother colony, who had never sought to make any profit from her western dependency. Virginia was held in deserved affection; she had never failed to give help when it was called for, even in the most trying years of the Revolution, and had never sought any recompense for her gifts.

This request for independence was received in the best possible spirit by Virginia. In 1786 the General Assembly of that State passed the first act for the separation of Kentucky, setting certain conditions on which the colony might go free. The conditions were as follows: The free white male inhabitants were to choose five representatives from each county. These were to determine whether the people demanded independence. If so, they were to fix a date later than September 1, 1787, for the separation, the parting to take effect only on condition that, prior to June 1, 1787, Congress should assent to the admission of Kentucky into the Federal Union.

The processes that led to this act of partition have for us a special interest, inasmuch as they throw some light on the conditions of society at that time. The difficulties arising from the remote position of Kentucky and the slowness of communication with Virginia became evident during the struggle with the Indians. The colony had in effect little more than the sympathy of Virginia, for the aid in troops, though willingly given, always came too late for defensive action. The danger arising from savage invasion was sudden, and had to be dealt with quite independent of the Virginia government. It is likely that the demand for independence would have originated even earlier than it did, but for

the doubts and fears that the Revolutionary War brought upon the country. Whatever may have been the desire for a more effective government, which could only be secured by independence, it could not take shape until that momentous question was settled. The first convention intended to consider the matter of independence was held in Danville on December 27, 1784. It was called by General Logan and some other citizens, who met in their private capacity in the preceding February. They advised that each militia company in Kentucky should elect one delegate to the convention. Thus, the first general convention rested naturally and fitly on a military basis. The question of parting from Virginia was gravely debated. Despite the diversity of opinion, there was an overwhelming majority in favor of asking the mother government for an act of separation; yet, with a conservative instinct, the convention did not deem it well to act on its own responsibility, but limited itself to advising the citizens to choose at their annual election a convention of twenty-five delegates, who should determine the matter in a final way. There was every sign of an extreme care in the way in which this question was approached.

The patience with which the problem of separation from Virginia was treated, both by the mother State and by the people of the Kentucky settlements, was probably in part to be attributed to the unhappy results of a similar experiment that was then going on in the valley of the Tennessee. In 1784 North Carolina, growing impatient of the burden that her western settlements imposed upon her treasury, and irritated by the complaints of the people in those districts, passed an act conveying to the Federal government all the lands

that now constitute the State of Tennessee. The people of the country that is now Eastern Tennessee feeling themselves left without a government, made haste to organize themselves into an independent commonwealth, which they called, as a tribute of respect to the illustrious philosopher, the State of Franklin. These people applied for admission into the Union, but the Federal government being slow and unwilling to act, and North Carolina having repealed the act of cession of her western provinces to the Union, the State of Franklin came into very troubled waters for some years. There was a conflict of authority in this region which led to a premature decadence of the Tennessee settlements, and in time to violent misrule of the country. Some efforts were made to persuade the Kentuckians to join themselves to the State of Franklin, a provision having been made for such coöperation in the constitution of the experiment, but they came to nothing. The new State gradually fell to pieces, and in 1787 its brilliant and able Governor, John Sevier, was put on trial for high treason. He was released by a daring rescue, and subsequently pardoned and restored in name to the leadership, which he never lost in the affections of his people. These very picturesque incidents were exceedingly unprofitable to the Tennesseans. They served, however, to deter a part of the Kentucky people from any rash experiments with their government.[1]

The second convention assembled in May, 1785, and after deliberation decided that a separation was desirable; but, continuing their cautious course, they asked the people to review the circumstances, which the con-

[1] For a further history of the State of Franklin, see the excellent account given by Ramsey, in his *Annals of Tennessee*, pp. 282 *et seq.*

vention presented in the form of an address, and finally determine the question of their political future. By the time the third convention assembled, in the following August, the threat of a new Indian outbreak and the evident inefficiency of the Virginia government had increased the desire to make good the independence of the settlements, so that a rather vigorous petition for separation was drawn up and forwarded by a committee to the Virginia Assembly.

The Virginia Assembly promptly agreed to the proposition, annexing thereto certain reasonable conditions, the most important of which was that a fourth convention should affirm it to be the will of the people that they should separate, and that the Federal Congress should, in advance, consent to the admission of Kentucky into the Federal Union.

Now began a political conflict of a very curious kind. The Federal Union was a new, and as yet unproven, experiment in government; the two years of its trial had not served to show its usefulness; on the contrary, it seemed to be utterly without power to enforce its authority in the West. The peace between the United States and the British had enfeebled but not ended the desultory war between the savages and British on the one hand, and the Kentuckians on the other. The British still held their fortified posts within the American territory: the new-made peace seemed at most a half-regarded armistice. The provisions of the treaty which were of most importance to the Kentuckians, namely, the surrender of the British posts in the Northwest, were not carried into effect for several years. There was a general fear that a great Indian invasion was imminent; small conflicts were of fre-

quent occurrence. The fault, it must be confessed, was in good part with the whites. Wandering bands of whites, rough fellows, who had come to look upon the Indians as natural enemies, were constantly committing outrages on the Indians both north and south of Kentucky. It was natural that the savages should avenge the assaults by raids on the white settlements. The settlers, knowing little of the circumstances that led to these acts of war, were convinced that nothing but the extermination of all the neighboring Indian tribes would bring a permanent peace.

The United States made treaty after treaty with the Indians, but the Federal government was as a military power weaker than many of the separate States, and did nothing to chastise the savages when they broke their treaties of peace. Therefore it was natural that the Kentucky people, who knew little about the great difficulties in the way of the Federal government, and who as men accustomed to vigorous action were disposed to despise its inefficiency, should have chafed at the limitation placed by Virginia on the consent to their independence, which required them to sue for and gain the consent of the Federal government before they could have the freedom of action which seemed to them so vitally necessary. At this point, General Wilkinson, of Fayette County, a man well fitted for leadership, but a conspirer by nature, as was shown by his subsequent behavior in the Spanish intrigues, undertook to form a party for the immediate and unconditional separation of the settlements from Virginia. Wilkinson, for a time a soldier in the Revolutionary Army, was a trader who did a good deal to develop the early commerce of the country. It appears likely that the cultivation of to-

bacco, which furnished the first agricultural export of the State, the first export of any kind except a few peltries, was due to him. We shall have in the sequel to trace in some detail the career of this singular man.

This scheme of secession found much approval among the military class of the community. The natural course of events had led to the creation of a military caste in the settlements. The only strong organizations were the military companies, and their commanders held a position of peculiar honor, and naturally felt their importance. In a separate state that would be sure of a rapid development, they could expect to retain and magnify their offices; while under the United States government, which had already forbidden their little wars with the Indians beyond the Ohio, they would of course sink into insignificance. Thus out of a militarism came the first political danger of this young State.

Wilkinson succeeded by despicable tricks in securing his election as a member of the convention that it was hoped would finally determine the political position of the Commonwealth. By the time the election was over, a new political notion began to take shape in his scheming brain. The treaty of peace with Great Britain had left the question of the navigation of the Mississippi in a peculiar position. The Spaniards were now in possession of all the country on both sides of the river below the parallel of thirty-one degrees. Holding the banks of the Mississippi, that power had undoubted right to control the navigation of the river below that point to the sea. The Kentuckians, foreseeing that the right to navigate this stream to its mouth would soon be of the utmost importance to their development, immediately began to discuss the matter of this right. It

was hard for them to believe that the water which flowed by their door could not freely bear their boats on to the Gulf of Mexico. From the propriety and commercial necessity of their being able to pass by it to the high seas, they quickly proceeded to the assumption that the right was theirs, and that only the feeble action of the Federal government deprived them of it. This grudge against the new central government was intensified by the fact that, soon after the Virginia Assembly had memorialized Congress to the effect that the free navigation of the Mississippi should be insisted on, John Jay, then Secretary of Foreign Affairs, and also commissioner to treat with the Spanish envoy, offered to suspend the claim to this free navigation for a period of twenty-five years, in consideration of certain other concessions to American commerce that in no way interested the people of the Ohio Valley. At this time Congress sat in New York; it was a far cry to Kentucky; news came slowly and mostly by rumor. Wilkinson's party — we must believe with fraudulent intent — spread the report that it was Congress that was making this arrangement with the Spaniards; when in fact it was only a matter of discussion between Mr. Jay and the Spanish envoy, and never was presented to Congress.

Since it was evident from the turn taken in the local debates that the people could not easily be led into a resolution to try separation from the Federal government, Wilkinson's party bethought themselves of another device, which was that the people of the settlements should see what terms could be made directly with the Spaniards, to insure the future of the State on this important matter of an outlet to the sea. It is evident that there was a clear and momentous object in their

minds; for although Wilkinson had been elected at the cost of many diverse expedients to the exceedingly important convention in which his presence was necessary for all the plans of his cabal, he started on a journey to New Orleans, where he remained several months. On his return to Kentucky, he brought a curious private trading treaty, which permitted him to import "free of duty all the productions of Kentucky." It allowed him to furnish tobacco to the Spanish government at about ten cents per pound, or five times the price then paid for it in Kentucky.

Wilkinson's return was made in great state. It is said that he came back in a chariot drawn by four horses, with a retinue of slaves; but this must apply to the last part of his journey, as there was at that time no wagon road to the south. His friends received him as an ambassador who had won great concessions from a foreign sovereign, claiming that he had secured by his personal negotiation that which the Federal government had offered to barter away. The results of his work were used as evidence that the Kentucky community could do very well with its interests if the impotent Federal government no longer had a hold upon them. John Brown, an educated gentleman who had represented Kentucky in the Virginia Assembly, and had been appointed by that government as one of the delegates to Congress, became convinced that the opposition on the part of the Northern States to the admission of Kentucky was very strong; and it is asserted that by private letters he advised the abandonment of the project of union, and that the Kentucky people set up as an independent State. He gave it as the result of his conferences with the Spanish minister that the State of

Kentucky would, if independent, be able to make terms with that government which would not be granted to the United States. It seems most likely that Brown did not really intend to oppose the entrance of Kentucky into the Union, but only desired to coerce the Federal government into the admission of Kentucky by the threat of independent action.

All these circumstances tended to give great strength to the separatist party. To make matters worse, the convention, called to meet at Danville, hung fire on account of the absence of many of its members on the fruitless expedition of General Clark against the Nobosh Indians; and when, after months of waiting, it got a quorum together, the question of the time of parting from Virginia and of admission into the Union seemed so difficult that no advance was made toward the desired end. One convention followed another, each putting forth the call of its successor, or being summoned to meet by the Virginia Assembly; but it was not until the third act for separation had been passed by Virginia, and the seventh convention had met in Kentucky, that the parting was effected. Six years elapsed during this period of disordered relations. It would be very interesting to trace in detail the progress of the negotiations with Virginia and the United States government; but though it forms one of the most important chapters in the history of the State, it cannot be told without taking too much of the limited space of this volume. The matter may be briefly summed up as follows.

Virginia was from the first willing that Kentucky should go on the independent path which she had so valiantly opened while a dependency, but was unwilling

that the event should take place until the Federal Congress was ready to accept Kentucky as a new State. At this time Congress was wrestling with the problem of the new constitution. The success in forming and affirming this constitution seemed a very doubtful and certainly was a very difficult problem. The admission of a new State containing people known to be disaffected toward the Union appeared likely further to complicate the sufficiently estranged relations of the jarring units of the government. It was perfectly natural that the old Congress should feel it important for the admission of Kentucky to follow rather than to precede the ratification of the new constitution.

Despite the unhappy results of the Franklin experiment, which were now becoming evident, these delays greatly favored the development of the disunion party; so that when the citizens of Virginia voted on the question of the new constitution, although Virginia as a whole ratified that instrument by a vote of eighty-eight to seventy-eight, the Kentucky representatives cast but three votes for it to eleven against it. This gives a fair measure of the state of mind of a large part, but probably not the majority, of the people at that time. The greater part of the political leaders of Kentucky were incensed at the refusal of the Federal government to receive them. They desired that the constitution should not be adopted, so that they might, by the breaking up of the confederation, be left free to deal with their problems in their own way, without any obligation to the inefficient Federal authority that controlled them without proper representation. It was a renewal of the motives of the Revolution of 1776, with the Federal government in place of the British power. There can

be no doubt that an extensive correspondence with the Spanish authorities was going on in these years, and that many leading men of the State were concerned in it, among them Mr. Henry Innis, then attorney-general for the district of Kentucky. But it seems probable, from facts that will appear hereafter, that the mass of the population was far from being in sympathy with them.

In the convention which met on the 3d of November, 1788, Wilkinson and his followers, then known as the Court party, on account of the official position of its principal followers, developed their plans and urged immediate separation from Virginia by an act of revolution and the setting up of a separate government. They kept the relations that were to be established with Spain for subsequent consideration, but left it to be inferred that these were to be by treaty alone. There is no clear evidence that any of the members of the party seeking independence desired to effect a union with Spain on any terms whatever. Marshall and other writers are of the contrary opinion, but it is likely that their opinions were colored by prejudices. When it came to a decisive vote on the scheme of Wilkinson's party, it was clear that they had not a majority in the convention in favor of a violent separation from Virginia, though it is possible that a majority favored an independent government after the State had been separated in a legal way. An address was voted to the Federal Congress, which renewed the prayer of the people for sympathy and protection. It is a curious document, the more curious when we remember that it was drawn up by Wilkinson himself.[1] His enemies assert that he expected that the Federal Congress

[1] Marshall, ii. 331.

would be quite unable to grant the requests of the petition, and that their failure to do so would enable him to further his original plan.

With this action, the shadowy history of the Spanish intrigues comes practically to an end. The convention memorialized the Virginians once again concerning separation. The convention which considered this measure found it unsatisfactory, because Virginia named certain rights concerning lands which seemed to limit the sovereignty of Kentucky. Two years went by in further debate with the mother State concerning the details of land administration, division of debt, and other necessary preparations for admission into the Union. During this time the Wilkinson party seems gradually to have abandoned their scheme for relations with Spain. While Wilkinson went on with his trading ventures, the others appear to have lost all interest in the matter.

There is an element of mystery in these Spanish negotiations which will probably never be cleared away. In reviewing the evidence, it seems likely that there were two distinct classes of men in the conspiracy. Wilkinson and his party probably at one time desired entire separation, and treaty relations with Spain. There is evidence enough to make this position clear. We cannot say the same of Brown and many other more deliberate men. On their part it was probably a piece of political manœuvring that had for its object, not a union with Spain, but the forcing of action on the part of Virginia and the Federal government.

There is no doubt that Brown saw a real indisposition on the part of the more northern States to admit the partition of Virginia, and also, perhaps, a certain risk, that as Kentucky grew to be a more valuable pos-

session, Virginia might be more unwilling to relinquish her hold upon its territory. By this feint, — which, under the circumstances, was justifiable, — Brown and his associates managed to urge the act of separation to completion, and so ended a ten-years' struggle for independence. In no other way can we reconcile the sudden subsidence of the intrigue with Spain so soon as it became clear that the separation from Virginia could be accomplished, that the Federal government was willing to admit them without further delay, and that this government was likely to have strength to aid in their development. The action of their party is not reconcilable with the supposition that Brown and the other men of character intended to use the separatist movement for anything more than a threat.

Granting, however, that the object had been separation from Virginia and actual independence, there is no real basis for accusing the Court party of anything like treasonable intents. We must remember that the Federal Union hardly existed when the intrigues began. The confederation of the colonists proved itself too weak for its purposes. Virginia had given her qualified assent to a separation that was universally desired by the Kentucky people. There was as yet no place for a true allegiance to the shadowy Federal Union in the history of this people.

The spirit of local independence in governmental affairs had just secured its approval in the separation of the mother colonies from Great Britain. These colonies had fought their battles with the motive of local and not national interest. The sense of national interest was a thing yet to be created. If these men desired to stand in name, as they had stood in fact, amid the

greatest trials that can befall a community, alone and self-reliant, there was no shadow of a moral objection to their so doing. They as yet owed absolutely nothing to the nascent Federal government.

History has shown that they would have made a great mistake if they had succeeded in accomplishing their apparent aim. For that verdict of time they are not responsible.

There is a remarkable likeness between the incidents of the separatists' struggle of 1784–90, and those of the secession movement in 1860–61. In both cases the greater part of the leaders were for violent action, and in both cases they made the fatal error of supposing that the people were with them. The obstinate unwillingness of the masses to be hurried in their political action saved this people from the blunder of secession in the critical moment of both centuries. Twice they escaped from danger through the exercise of this singular political caution that has ever characterized their action. The acumen of their decision in their first trial deserves more credit than the second; in the former, the proposition was for a separation from a government that hardly existed, and against which many valid objections could be urged. Such a separation would have violated no pledges whatever.

In February, 1791, Congress passed an act admitting Kentucky, to date from the 1st of June, 1792, and on April of the following year a convention assembled at Danville to form a State constitution. In these first steps towards a union with the Federal government there is no trace of hesitation or repining. There was no party opposing the union; at the time it was effected, Wilkinson's cabal was silent, if not forgotten. The

just inference is, that the only strength that this abortive project had among the people was due to the fact that they believed themselves denied admission to the Union.

During this time, while Kentucky was pleasantly occupied with the matter of national politics, an occupation in which they always have found the keenest interest, there was a busy local life and a steady inflow of immigration. A rough census showed that in 1790 there were 61,133 whites, 12,430 slaves, and 114 free blacks, or a total of 73,677. At the time of separation from Virginia, the population had probably increased to about 100,000, for with each year there was an increase of the tide of immigration from Virginia and Central North Carolina.

At this time, when the settlements along the Ohio had taken firm root, there came into Kentucky a considerable immigration from the northern States of the Union. A large number of settlers from Pennsylvania, New Jersey, and New England found homes here. Especially was this the case with immigrants from Connecticut. Many families from that thrifty State settled in Mason and the adjoining counties. The effect of their presence was seen in the rapid development of education in this section. Mason County became the best schooled county in the State, and from it came a remarkably large number of teachers, editors, and other scholarly men. The distinguished family of Johnston, from whom descended General Albert Sidney Johnston and many other talented men of the name; the family of Wadsworth, and others are of this blood. The total immigration of New England people probably did not amount to over fifty families, but it was an important contribution to the life of the colony.

Although there were no longer large invasions of the savages from beyond the Ohio, there was still a constant succession of small Indian raids, to the last degree harassing to the settlers. The greater part of the State was still densely wooded, and through these coverts the savages crept, searching for unprotected farm-houses and wayfarers. Every stroke was an act of butchery. In the early days the Indian warfare was singularly humane; they never outraged their women prisoners, and rarely butchered their captives. They had now learned a more brutal warfare from the whites. There can be no question that the Indian customs of war were debased by the example of their enemies.

For many years the Ohio River had been a favorite means of transit from Virginia, for it was now the northern part of Kentucky that was receiving the most settlers, and the route by the Ohio was the best way to it. The voyagers were frequently waylaid by piratical bands of Indians, who assailed them in their canoes. Volumes could be written about the combats and butcheries that took place on the river. The effective way of remedying this evil would have been to have placed these boats under some convoy system, but to the Kentuckians the proper means seemed to be to crush the savage in his lair.

In November, 1791, the Federal government sent a force of regulars under St. Clair against the Indians on the Miami. The Kentucky militia refused to volunteer under a commander whom they deemed with good reason an imbecile, but clamored to be allowed to wage the war in their own way. A thousand men were, however, drafted into the service, and ordered to march with St. Clair. The most of these deserted; so that when

on the gray morning of November 4th the Indians assaulted St. Clair, he had only about one thousand men with him, the greater part of whom were regulars. St. Clair was tied to his tent by a fit of the gout. The Indians entirely surprised this force. At first it seemed as if, despite the confusion arising from the fierce rush of the enemy, they might hold their ground; but there was no reasonable effort made to follow up the temporary success that came from the valor of certain parts of the command, so, after some hours of brave fighting, a retreat was ordered that soon became a wild rout. Eight hundred and ninety enlisted men and sixteen officers were killed and wounded. General Richard Butler, one of the most valuable officers of the army, was among the slain. Only two years earlier in the history of these settlements this catastrophe, much the most serious that ever befell any expedition in which the Kentucky people had been engaged, would have carried consternation into the hearts of the Kentuckians, but the State was now too populous to feel the loss of men as a disastrous blow. Despite St. Clair's defeat, the Indian raids were henceforth reduced to small parties creeping under the cover of the forests. The defense of the State was henceforth mainly intrusted to the Federal authorities, and the heroic time of Kentucky was ended.

It will be profitable to consider, in a general way, the progress of events in Kentucky from the beginning of its settlement to this time of admission into the Union, which practically ends the pioneer epoch of its life. The period of wild though noble development is now to give place to a more orderly life, and to a dependence on a strong Federal authority.

From the settlement of Harrodsburg in May, 1774,

to the admission of Kentucky into the Union in June, 1792, was seventeen years. In these crowded years, full of an incessant battle with the wilderness and its tenants, a struggle in which thousands of brave men fell, a State had been created. For nearly one half the time during which this great work was a-doing, the parent colony of Virginia was engaged in a war that drained her energies to utter exhaustion.

There is no similar spectacle in history that is so curious as this swarming of men into the wilderness during a time when their mother country was engaged in a life-and-death struggle. We can only explain it through the intense land hunger that marks the Saxon people. The thirst for land, which we find so strongly developed in the Elizabethan English, seems to have been transmitted to Virginia in an intenser form. Knowing that free lands were to be won by giving life for it, the Virginia and North Carolina people were driven to desert their comfortable dwelling-places in the colonies for the battle in the West. There is no other case where this land-winning motive is so clearly seen as here. All our other western immigration has been fostered by the protection of the government. These people could look to no protection but what they gave themselves.

Twenty years of such life developed a particular sort of man, — a kind that was never known before or since in such numbers in any one country. It is the writer's fortune to have spent his early years in a society that still contained some few of the men who took their shape from the life that was lived in the first three decades of Kentucky civilization. They had a very peculiar quality of mind. Its most characteristic feature

was a certain dauntlessness, a habit of asserting the independence of all control except that of the written law. Their speech was rude and often exaggerated. As a class, they were much like the men of to-day in the Rocky Mountains, except that they had not the eager desire for gain that takes away from the charm of that people. This advantage made the frontiersman of Kentucky a much more agreeable fellow than his money-seeking modern kinsman of the far West. He was far more sympathetic, more externalized, than the miner of Colorado to-day. We may infer some of the peculiar qualities of this people from certain features in their history. First we may notice their curious respect for the written law. Courts of justice were at the outset established in Kentucky, and the life was at once adjusted to the usages of the civil law. There was far less government by the mob than in the settlements of to-day in the far West. The patience of the people with the obstacles which legislation put to their will is admirably shown in the long quest of independence of the Virginia government. Year after year, though suffering from serious and galling evils connected with this system of control, they patiently petitioned for redress, keeping not only within the limits of the Virginia law, but retaining always a courteous, though firm attitude in their demands. This attitude was even more characteristic of the mass of the people than of the leaders. Even when the Court party, containing the larger part of the natural leaders of society, endeavored to lead the State to illegal, though not altogether unjustifiable, activities, the sense of obedience to the law led the mass of men to stick to the true way of government.

The fact is, there was a great solidity to this people.

None but people of character could withstand the strain in which they lived. They were not burdened by the weak, incompetent men who led other societies into political debasement. The criminals, the weaklings, and the other *rejecta* of society had no place in this embattled colony. There was a large proportion of the population composed of what may be fairly called educated, as distinguished from instructed men. They had far less learning than fell to the share of the original colonies at the time of colonization, but as a rule they were much more perfect material for citizens in a pioneer State than fell to the lot of any of the original settlements. They were bred in a frontier life to habits of independence and self-control.

The early records of Kentucky life are too imperfect to afford any clear insight into the condition of education or the intellectual motives of the pioneers. Recently, however, Thomas Speed, Esq., of Louisville, has disinterred a quantity of papers giving the record of a political club that existed at Danville from 1786 to 1790. This association was composed of about thirty of the brightest spirits of the time, who were resident in and about this little town. On its roll we find the names of many of those who had already or were afterwards to lead the State in the paths of peace or war.[1] The larger part of the members belong to families that

[1] The following are the names of the members: Henry Innes, Christopher Greenup, John Brown, Robert Craddock, Thomas Todd, John Belli, G. J. Johnson, George Muter, Peyton Short, Stephen Ormsby, William McDowell, Thomas Allen, Thomas Speed, James Speed, Abe Buford, Samuel McDowell, Benjamin Sebastian, Baker Ewing, P. Tardeveau, William Kennedy, Willis Green, Matthew Walton, William McClung, James Brown, John Overton, Robert Dougherty, Joshua Barbee.

are still among the leaders of the State, showing, as many other facts do, that this colony, like the other strongly individualized States of America, owe their quality to the influence of strong continuous households. The notes of this club give a very fair idea of the intellectual quality of its meetings.[1] For several years, or until the changes of the shifting population removed its leaders far from their original abodes, this club industriously debated the questions of polity that concerned the settlements. The record of the debates is given in a simple and excellent English, that would hardly find a parallel in a debating club in any western settlement of this day.

Among the many questions discussed by the club were the following: First, we have the great question as to the propriety of separating from Virginia. This was decided in the affirmative, after a long and careful debate. Next in importance was the question "whether the emission of a paper currency would be an advantage to the inhabitants of this district." Some of the remarks of this debate are very interesting, showing that these men had a firm grip on the problem. Christopher Greenup well summed up the main considerations by saying, "Money is the sign of wealth, and paper the sign of that sign." Mr. Muter claimed that "to make paper currency a legal tender is fatal to it; specie has an intrinsic value." The culture of tobacco was debated, and it was voted that it was not desirable that the district should enter on this industry. Another

[1] I am indebted to Mr. Speed for an opportunity to examine the original records. They are mostly on small slips of paper, showing the value of that article in the early western days. They give a very clear idea of all its debates.

question was, "Is the exclusive right of the Indian tribes to the territory claimed by them provided in the laws of nature and of nations, and can they consistently with such laws be divested of such rights without their assent?" After a debate the first part of this proposition was affirmed and the second part negatived, a remarkable decision under the circumstances.

The most considerable task of the club was their debate on the proposed Constitution of the United States. Among the records is what appears to be a proclamation of this constitution, in a preliminary form, bearing date 1787; appended thereto is a letter of Washington, noting the fact that it is submitted to the people of the United States. This constitution was carefully debated by the club. The changes that they voted are very interesting. They proposed that the speaker of the Senate should be chosen by that body; that the members of that body should be ineligible for reëlection for seven years, and the President ineligible for four years after the close of his term. After bills had been passed by the two houses, they were to be submitted to the Supreme Court, and approved by it, before receiving the signature of the President. The clause which provides for the support of the militia in the execution of the laws was amended so as to read "to enforce obedience to the laws of the Union." Their discussion shows a clear perception of the important difference between executing the laws in the ordinary sense, and the enforcement of obedience thereto in case of resistance.

The draft of the constitution provided that Congress should not prevent the importation of slaves until 1808. The club voted to strike out this limitation. It will be

seen by this action that the same motive of opposition to the slave-trade, which is embodied in the first constitution of the State, existed in this political club. It is worth while to dwell to this extent upon the work of this interesting society, for the reason that it is the only source of such history that has come down to us.[1]

Up to the time of their separation from Virginia, the life of Kentucky's pioneers was in a certain way exceedingly rude; the greater part of the population was packed into the rustic castles, termed stations, of which there were two or three hundred within the State. Each of these places contained one or more dwelling-houses and a "corral," so arranged with stockades and loopholes as to make a stronghold good against Indian assaults. There were usually from ten to fifty men at each station, — enough to make good a defense until succor could arrive. This rendered a certain crowding of the population necessary, which endured until it became safe to trust to the separate farm-house, so dear to the English heart. It is surprising that the fortified station did not lead to some desire for village life such as we find in Europe; but as soon as the Indian depredations became even a little slackened, the people isolated themselves, as it had been their wont in Virginia. A lonely house in the middle of a great farm was their ideal, and they attained it even before it could be had with safety.

In these early settlements there was an immense amount of physical labor that fell upon men and women alike. In the first twenty years there were very few

[1] I have availed myself, in preparing the foregoing statement, of the excellent account of the Political Club, given by Mr. Speed in the *Louisville Commercial* of September 29, 1873.

slaves. They did not begin to be a considerable element in the population until about the time of the separation from Virginia, when, the Revolutionary War having ended, there was a richer class among the immigrants. Even in that year there was only one sixth of the population held in bondage. The lot of men and women was ceaseless labor, only interrupted by combat with the savages. To create a civilization in the unbroken forests that occupied all the region which was settled in the first two decades, called for something like twice the amount of labor that is necessary to accomplish the making of a home in a prairie country. One lightening of the ordinary pioneer's lot these people had. The climate was admirable, and there were no indigenous maladies. They were generally exempt from the malarial fevers that have cursed the early days of the other Western States. Their life was almost altogether in the open air. The unglazed windows of the houses and their creviced walls made them almost as free from house-poisoning as the open air.

The people were for some years almost without domesticated animals; even horses were, at first, but little used. In consequence of this, the men developed a remarkable capacity for swift and long marches. They readily outmarched the Indians, or rather outran them, for the regular pace when on an Indian trail seems to have been a jog trot. They were accustomed to make great distances on scant provision of food. A little parched corn, munched as they ran, would maintain their strength. In a few years, however, the settlers were able to own horses, and very soon the foot-marching became less common, and the people entered on the stage of their development in which they used the

horse in all their journeys. Afterwards, in hunting Indians or in pursuing lesser game, they generally were mounted.

We have little concerning education in these early days. There were no organized schools, and the mass of the people received only a little household teaching. Still it is doubtful if the percentage of illiterates among the children at this time was as numerous as it is at present in the mountain counties of the State. It must be remembered that the excess of adult males in these early days was very great. Though women and children were with the first settlers, they were relatively much less numerous than in a normal society. This diminished the need of the school-master.

The religious condition of the people was, from the first, tolerably satisfactory. The first ministers of the gospel were the Baptists, who, with their usual valor, entered the State with the earliest settlers. The Rev. John Hickman seems to have been the first to begin the work in 1776. In 1780 a vigorous immigration of people of this faith took place. One church — that headed by the Rev. Lewis Craig — moved *en masse* from Spottsylvania County, in Virginia. When the Revolution was over, and the tide of immigration was at its flood, it brought a host of Baptist preachers with it. The Methodists at first made but little headway in Kentucky. In 1787 they claimed but ninety members in the State. The first Presbyterian clergyman began his work in 1783. The Baptists were the religious pioneers of Kentucky, and to this day they hold the first place in its churches.

The Roman Catholics were represented among the very first settlers in Kentucky. Dr. Hart and Wil-

liam Coomes, who settled at Harrod's Station in 1775, — the one a physician and the wife of the other a school-teacher, — were both Maryland Catholics; so, as Collins remarks, "the first practicing physician and the first teacher in Kentucky were Roman Catholics." They were both valiant and valuable men. They were followed by many other families, who founded the large Catholic community that still exists near Bardstown, in Nelson County. Their first church was founded in 1787. These people were all of the Maryland stock, and were a most important contribution to the blood of Kentucky, though they have maintained a peculiar isolation, having had but a small share in the political life of the State.

The first twenty years of the history of Kentucky brought about a more considerable gain of the English population in the interior of the continent than had been accomplished in all the preceding century. The barrier of the Alleghanies was crossed, and a great bastion of Anglo-Saxon people built out into the wilderness of the Mississippi Valley, separating the Indians of the north from those of the southern country. It is easily seen that the possibility of doing thus much depended on the temporary withdrawal of the Indian tribes from residence in Kentucky. If they had been in force on the ground, it is to be questioned whether the pioneers could have made their occupation good until the Virginian or the national government had broken the Indian power. As it was, they found a gap in the enemies' lines, of which they took swift advantage, pouring through it like a flood and intrenching themselves in their new position.

Account for it as we may, this spontaneous, unaided

movement of people into Kentucky, and their swift organization of a State under such appalling difficulties, must always remain as one of the most surprising achievements of the English race. We know of no other series of events that so well exhibits the singular prepotency of that people as their swift mastering of this part of the earth.

CHAPTER IX.

THE COMMONWEALTH AND ITS PROBLEMS.

THE next chapter in the account of the development of Kentucky very fairly begins with the adoption of the first Constitution of the Commonwealth.

In 1792, after more than ten years of patient, lawful endeavor, this people found themselves free to express their ideas of government in their own way. Danville, a town that was from the first the centre of the State life, was the seat of the convention for adopting the constitution. The people entered into this work of framing an organic law with great satisfaction, for it was a work they had long desired to be about. The constitution which they framed affords a capital index of the state of public feeling at the time as to many important matters. It was adopted by the convention and promulgated without the test of approval by popular vote, but the evidence goes to show that the people ratified this instrument with a very general approval.

In its general form this constitution is clearly modeled on that of the United States.[1] This has been properly attributed to the commanding influence of Colonel George Nicholas, who, as delegate from Virginia, had taken an important part in the formation of that instrument. Next, we notice that this document shows throughout an effort rather to adapt the framework of

[1] See Appendix A.

the law to the existing needs of the community than to seek any ideal perfections. The conservative historian, Humphrey Marshall, notes the absence of sufficient checks on the popular will; in a word, that the scheme was that of a democracy rather than that of a republic. It was certainly open to this objection, if indeed it be an objection. The people were democratic in their political spirit. Their society was a pure democracy. It was to be expected that their law should conform to their motives and conditions.

The following points in this constitution deserve especial attention: —

First. The suffrage was given to all male citizens of proper age who had not been disfranchised by conviction of crime. This is probably the first experiment of manhood suffrage in any modern State. Second. The whole body of the judiciary was constituted by appointment without specified term of office. This follows the universal custom of the time. Third. Ministers of the gospel were excluded from office as legislators. It is a curious survival of an English prejudice. It is especially remarkable from the fact that it is almost the only trace of the limitation of the citizens' rights that is not connected with the local needs of the people. Their Baptist parsons were clearly no element of danger to the State. Fourth. The article concerning slavery is also important, as it distinctly shows a decided prejudice against the commerce in slaves. They are not to be brought into the State as merchandise, and none are to be brought that were imported into America since 1789.[1] It also recommended the legislature to pass laws permitting the emancipation of slaves under

[1] See, also, the debates of the Political Club.

the limitation that they shall not become a charge on the county in which they reside. This article shows that the difficulties of the slavery problem were already before the minds of this people, busy as they were with their immediate needs.

The most important omission of this constitution is the absence of any reference to a public school system. In this it differs noticeably from most of the constitutions of the Northern States. The neglect of this need has been from the first, as it now is, a weak feature in the Kentucky system of society.

There is yet another feature that deserves notice. The Supreme Court of the State is made the court of first instance in the determination of all questions concerning the ownership of lands under the Virginia patent system. This provision was introduced by Colonel Nicholas. On proposing it, as it had not been an element in his canvass, he took the good way of resigning his seat in the convention and asking for a reëlection, which was immediately given him without contest. This uncontested return of the proposer was taken as evidence that the people desired the arrangement. The object of this provision was to prevent the action of local prejudice in the settlement of legislation concerning land titles. This prejudice is always sure to be strong in the case of such land titles as were growing up under the rough system of "location" that the laws permitted. Boundaries being unfixed, there was already a disposition to disregard the rights of original patentees and to use the unoccupied land as common property. Any jury drawn from the neighborhood in which the disputed land lay was likely to contain men who had a sinister interest against the establishment of patent

claims. Thus the State at the outset found itself in danger, through defective titles, of losing a part of the value of the soil which had inspired the people to its conquest. The remedy was unusual, but fully warranted by the needs of the case, though in experience it was found impracticable.

Immediately after the adoption of this constitution, General Isaac Shelby was elected governor. In him the State secured an admirable chief magistrate. They could not have chosen better. He was a Marylander, who became, in his early manhood, a citizen of what is now North Carolina. He did brilliant service in the battle of Point Pleasant, in October, 1774, an action that by its conspicuous success did much to relieve Kentucky from the danger of overwhelming pressure from the Indian tribes. Afterwards in North Carolina he played a most gallant part in many small expeditions, but especially in remedying the ruin that the defeat of Gates at Camden brought upon the Continental cause. When others were appalled by the magnitude of this disaster, Shelby seemed to have awakened to a full sense of his really great military power. He saved a little army he then commanded, and secured a large number of prisoners in his hands by a swift march to the west into the recesses of the Blue Ridge Mountains. Then, when he had disposed of his captives, he turned upon the famous Ferguson, and by the well conceived and admirably executed move on King's Mountain, destroyed the force of that able commander at a single blow. Although Shelby was not in name the chief in this action, there is no reason to doubt that the conception of the campaign and the vigor of its execution were his alone. His also was the scheme of

attack which led to the battle of Cowpens. After various other admirable feats of partisan warfare, he obtained leave to absent himself from the field in order to take his seat in the General Assembly of North Carolina. Thence he went to Kentucky in 1783, where he married, and afterwards remained, taking a part in the early struggles for emancipation from Virginia's control. As brave in action as he was wise in council, his choice as the first governor was an honor and a blessing to the young Commonwealth.

The people of Kentucky were now again in face of the two problems which had troubled them from the beginning. The Indian outrages were still flagrant, for though no large parties dared make regular expeditions into the State, small forays made through the byways of the forests were of constant occurrence. On April 1, 1793, Morgan's Station, on Slate Creek, seven miles east of Mount Sterling, was captured, and nineteen women and children taken into captivity. The boats of immigrants on the Ohio were subjected to constant assaults. The Federal government refused to authorize any independent action of Kentucky troops, but insisted that they should act with the regulars and under regular officers. This concession the Kentucky militia were unwilling to make after their unhappy experience with Clark's last expedition and St. Clair's imbecile effort. Finally, a draft of men was sent to General Wayne, but the season being late his expedition was abandoned. So once more the people had reason to be disappointed with the Federal system of Indian warfare.

At the same time, while the people were irritated by the neglect of the Federal government, the question

of the navigation of the Mississippi came again into the public mind. On this occasion it was a French and not a Spanish party that led to the excitement. The Spanish intrigue was a sufficiently curious bit of politics, but the French scheme was even more singular in its motives. The beginning of this trouble is first distinctly seen in the organization of several so-called Democratic clubs in Central Kentucky. These clubs were fashioned on, and in affiliation with, the famous Philadelphia club which was moulded on the Jacobin clubs of Europe. There can be no doubt that these Democratic clubs were designed to resist the increasing encroachments of the Federal authority on the province of the local governments. It is equally clear that they drew their inspiration from the great Americo-European movement we misname the French Revolution. There was little reason to fear that these affiliated societies which were springing up all over the country would be more than a wholesome check upon the Federal power, properly regarded at the outset as involving an element of danger to the individual States. But these societies called Democratic were destined to receive their overthrow from the source that gave them birth. As is well known, the colonies, when treating with France for assistance in the extremity of their need during the war with the mother country, consented to make war on England whenever the French government did. When after twenty years we were called on to act in accordance with this dangerous stipulation, the Federal government very properly refused to keep the contract which its predecessor had made. This refusal was clearly an act of bad faith, but any other action would have been even more iniquitous. The fathers of the American

State had bargained to give more than they had a right to promise.

That extremely active bit of the French Revolution known as Citizen Genet, the French ambassador to the United States, was not disposed to regard the proclamation of neutrality issued by the Federal authorities, but immediately on his landing at Charleston set about the process of commissioning cruisers against English ships even before he presented himself at Washington. At this distance of time there is something very interesting in the performance of this "infuriated foreigner," as Marshall well calls him. He seemed to feel as his countrymen felt in that age, that he owned the earth, and that there were no rights of other countries to be respected. In his journey to the seat of government he was constantly engaged in arraying the malcontents of the country against the Federal administration, and in preparing to levy war on Britain from the soil of the United States. The Jacobin clubs were, doubtless, to a certain extent, in sympathy with his mad course. The French outbreak in 1793 was still in its nascent state, and had not yet set all decent men against it by the brutal excesses of its later time.

The Democrats, fearing with what at the time seemed good reason that the Federal government was working towards an aristocracy, naturally felt a lively sympathy with a people in combat with the British, who seemed to have attained to a livelier sense of the equality of men than the ruling party in the United States. Moreover, there was a tie of blood, — blood shed on the battle-fields of the Revolution by French and Americans together, — that made the appeal of France very strong to many hearts. At this time Louisiana was still under

the control of Spain, which government was the ally of Great Britain.

Foiled by the vigor of Washington's government, in his effort to levy war from the eastern States, Genet and his followers conceived the plan of using the longing of Kentucky for the free navigation of the Mississippi for the furtherance of his plans. In October, 1793, the Lexington Club resolved, "That the right of the people on the waters of the Mississippi to the navigation was undeniable, and that it ought to be peremptorily demanded of Spain by the government of the United States."[1] Genet employed several Frenchmen — the principal of whom, a certain Charles Depau, is said to have been at this time a resident in Kentucky — to organize an expedition against Louisiana. General George Rogers Clarke, now in his decay, accepted the commission of "major-general in the armies of France and commander-in-chief of the revolutionary legions on the Mississippi."

The ultra-Federalists of Kentucky believed that Governor Shelby was conniving with the French party, but it appears to the present writer, after a careful reading of the evidence, that his action was only the proper caution of a man who had very limited power to act under the circumstances of the situation. The matter was really one that concerned the Federal government alone. The laws that appeared likely to be violated were Federal and not State laws; it would not have been fit that the Governor of Kentucky should have strained his limited powers to meddle with the business. As an individual he doubtless sympathized with the project of opening the Mississippi to free navigation;

[1] Marshall, ii. p. 92.

yet he held himself ready not only to enforce the laws of Kentucky, but "to perform whatever may be constitutionally required of me as Governor by the President of the United States." His letter to Washington is admirable in its tone, and exhibits more submission to the Federal authority than would now be shown by most governors.

The silencing of Genet and the prompt action of the Federal government arrested this expedition against a friendly power. The Genet incident was now exhausted, but it showed that the mind of the people was still very excited on this question of the Mississippi navigation. The violent language of the Jacobin clubs of Kentucky, and the disgrace that came upon all the sympathizers with France from the excesses into which that revolution fell, had in time a good effect on the politics of Kentucky. It was to these incidents that we owe the first considerable strengthening of the pronounced Federal party in the State. It is a singular fact that matters as remote as the revolution in France should have greatly affected the political motives of this young Commonwealth.

An important incident in the Indian wars served to divide the public interest with the French scheme, and in time to turn their attention away from that fiasco. General Wayne had projected an invasion into the Indian country in the autumn of 1793. A thousand Kentuckians had been drafted for the expedition, and joined it most unwillingly. They were returned, because the expedition was abandoned. Their experience with "Mad Anthony," though brief and only in the camp and march, for there was no fighting, was such as to give them confidence in his qualities as a commander.

Therefore, in the following spring there was no difficulty in securing sixteen hundred volunteers for the delayed expedition. The battle which he won on August 20, 1794, at Fallen Timbers, on the Miami, was brilliantly successful.

The fight was almost under the walls of one of the forts which the British continued to occupy in this region, and the flushed troops could hardly be kept from assaulting this stronghold of men whom they still believed to be their enemies. An attack on the fort would have been morally justified, for these posts, retained by the British in contravention of the treaty of peace, were in fact points of supply for the Indians. The presence of these foreign stations on their border was in part the cause of the continued irritation against the Federal government, which was still felt by the Kentuckians. This victory, in which the Kentuckians were in command of a Federal general, and in which they fought side by side with the regular companies of the United States army, did more than anything else to quiet this opposition to the General government. The heretofore despised regulars opened the battle by a brilliant charge with the bayonet on the Indian line, — a charge that scattered the foe. It is quite natural that this should have entirely changed the feeling of men who rested all other judgments of their fellows on their behavior in battle.

This battle practically made an end of the Indian troubles in Kentucky.

CHAPTER X.

KENTUCKY AND THE FEDERAL GOVERNMENT.

In August of this year came the news of the conditional treaty with Great Britain, that finally ended the hopes of those who looked for a union with France in the war with the ancient enemy. Although this treaty made for the time an end of the Indian hostilities, it was received with great indignation by the partisans of France, who now numbered far more than a majority of the Kentucky people. It is difficult to analyze the motives that caused this outbreak of discontent. The people were, however, intensely disgusted with the action of the authorities in Washington, and turned with the bitterest hatred against their worthy senator, Humphrey Marshall, who had voted for the treaty. We cannot determine how numerous was this party, but it clearly included a majority of the leaders. It should be noticed, however, that this action in no way involved a revolt against the government, but only a verbal resistance to the party that was in power.

It was practically nothing more than an intense disgust at the action of the Federal government, such as people may entertain against a control which they have no idea of throwing off. The failure of the Federal government to keep a contract to make war in a given contingency was naturally exasperating to a people with whom war had long been the principal business, as well as the only luxury, of life.

In the year 1795 the Federal government effected a treaty with Spain, by which the right of navigation was accorded to the American settlements on all the waters of the Mississippi. Just before this treaty was concluded Spain made a last effort to detach Kentucky from her allegiance. This effort was entirely unavailing. It was conducted with such secrecy that even the imperfect account of it did not become public until ten years afterwards. Politically it was entirely abortive, but it serves to throw a clear light on the way in which the Kentucky people now stood affected to the Federal Government. It is especially important for the light it throws on the motives of the resolutions of 1798, which we shall soon have to examine. In July, 1795, a commissioner named Thomas Power was sent by the Governor of New Orleans to reopen communications with the leaders of the negotiations of former years. One of these, Benjamin Sebastian, was now a judge of the Supreme Court of Kentucky. From Sebastian the commissioner went to Innis, Nicholas, and Murray, who had been in the old intrigue, and then to General Wilkinson, once again, after his interlude of trading and conspiring, a federal officer stationed at Detroit. The proposal was in effect that his Catholic majesty, the King of Spain, would give to these gentlemen $100,000 for their services in inciting the people of Kentucky to revolt against the United States. That when the revolt was proposed he would furnish abundant munitions of war for their use, and give their rebellion the military support of the Spanish government; furthermore, that when independence had been secured, Spain would give Kentucky and the other western communities the benefit of her alliance.

We cannot determine how far these men felt these propositions to be attractive, but it is clear that one and all they deemed them entirely impracticable, and that they not only absolutely refused the offer, but kept the proposition from the knowledge of the people. Their statements make it clear that they did not think that at this time it would be possible to form any party in Kentucky to advocate secession. There can be no doubt that the Spanish governor chose his confederates with discretion, and that his offer of immediate money, amounting in value to about the equivalent of half a million dollars in our day, and of place and power beyond, was tempting to these men, who were poor and of an adventurous type of mind. Its unhesitating rejection shows clearly that it was not a thing that they deemed in any way possible. The essentially loose nature of Sebastian is proven by the fact that he had received a pension of two thousand dollars per annum from Spain during the years from 1795 to 1806. This is perhaps the darkest incident in the history of Kentucky. Sebastian's relation to the Spanish government, and the whole matter of this last intrigue, was kept so secret, that nothing was known of it until it was by chance disclosed in 1806.

Sebastian was then, and had for many years been, one of the judges of the Court of Appeals of Kentucky. A committee of the legislature found Sebastian guilty of receiving a pension from Spain. There was no provision in the law for his punishment, so he was allowed to resign and take himself away.[1] The conspiracy, if

[1] Sebastian's history is very curious. British by birth, it is said that he began life as an Episcopalian clergyman. Drifting to this country, he became a lawyer, and finally a jurist of excellent ability.

it may receive this name, was then ten years gone. The other gentlemen who had been concerned in it, Messrs. Innis, Nicholas, and Murray, appear to have known nothing of Sebastian's position as a hireling of the Spanish government. They can only be blamed for their failure to make this act of hostility to the United States known to the Federal authorities. This omission was more serious from the fact that one of these gentlemen, Judge Innis, was then the circuit judge of the United States for Kentucky, and bound by the sacred obligations of his office to guard the government from such machinations of a foreign power. To this criticism of his conduct Judge Innis made a very lame answer. He says, in the evidence before the committee of the legislature, "the reasons why himself and Colonel Nicholas did not communicate the subject to the executive of the United States were these: 1st. It was known that neither of us approved of Mr. Adams's administration, and that we believed that he kept a watchful eye over our actions; that the communication must depend upon his opinion of our veracity, and that it would have the appearance of courting his favor. 2d. We both had reason and did believe, that the then administration were disposed upon the slightest pretext to send an army into this State, which we considered would be a grievance upon the people, and therefore declined making any communication on the subject, as we apprehended no trouble from the Spanish government."

Despite his great talents, he seems to have been a man always in straits for money. This led to his fall. It should be remembered, however, that the position of a foreign pensioner was not regarded with the same abhorrence in the last century that it is in this, and that the beginning of his relations with the Spanish government dates from a time when he was a private citizen.

It is impossible, within the limits of this volume, to give a careful analysis of these Spanish intrigues, but a careful study of the circumstances will convince the student that in the singular character of Wilkinson he may find a clue to this remarkable chapter of American history. It will be necessary to trace this character by a sketch of the life of this remarkable man. Wilkinson was born in Eastern Maryland, and was, for the times, very well educated. He became a physician; at the outbreak of the Revolutionary War he entered the army, and soon developed very considerable capacities as a soldier. He was in the siege of Boston, having arrived soon after the battle of Bunker Hill. His account of the incidents of that siege is very interesting. He was with Arnold as aid-de-camp in Canada; was with the army through the campaign that ended at Saratoga. The incidents of his campaign in the Revolution are told in the first volume of his Memoirs, a tediously voluminous work of three volumes, containing nearly three thousand pages of matter, principally his defenses before the two courts-martial to which he was subjected.[1]

Wilkinson was obscurely involved in the curious difficulty between Generals Washington and Gates. Gates made him deputy adjutant of his army a few days before he was removed from his command. In time he received the rank of brevet brigadier-general. He quarreled with Gates, whom he accused of treachery and falsehood, and resigned his brevet rank, retaining his commission as colonel. Congress, approving his action in his quarrel with Gates, made him, in 1779,

[1] *The Memoirs of my own Times*, by General James Wilkinson. In three volumes. Philadelphia, 1816. Printed by Abraham Small.

clothier-general of the army. In this capacity he served to the end of the Revolutionary War. In this period of trial Wilkinson appears to have been a patriotic and devoted officer.

At the end of the Revolution he left the army, and became, in some obscure way, concerned with some capitalists in a scheme of trade in the Mississippi Valley. From 1793 to 1806 he is singularly silent as to his occupations. His Memoirs, infinitely detailed for the other part of his life, do not directly mention any of his acts from 1779 to 1806. All we know of him is from the imperfect record of his performances in Kentucky. His great energy, fertility of resources, and singular business tact, gave him a large place in the development of the commerce between Kentucky and the Spanish possessions in Louisiana. He, in fact, created this traffic by way of the Mississippi to the sea, and was indeed the pioneer of commerce in this valley. His facile, cultivated ways, his lavish expenditure of money, and general largeness of nature, undoubtedly did much to ingratiate him with the Spanish authorities.

It was natural that the Spaniards, with the thirst for territory common to the Spanish mind, should desire to win larger control over the Mississippi Valley than they then had. It would be a triumph if Kentucky could be detached from the Federal government and brought under her control. Wilkinson doubtless seemed to the Spanish authorities an apt instrument for this work. It is likely that he in some way engaged himself to abet this project, and that the extremely liberal concession of trade which he brought to Kentucky in 1787 was a compensation for this work. The concession was esteemed extremely valuable, and there is no other assign-

able reason for the grant. That there was an element of treason in his projects is made clear by his subsequent course. This traffic, which continued for many years, put him in the power of the Spanish government, by the fact that they withheld a large part of the money due him for tobacco furnished to the Louisiana agents. It seems likely that whatever designs Wilkinson may have formed, looking to the separation of Kentucky and its alliance with Spain, they did not long commend themselves to his judgment. He apparently abandoned all decided efforts after his first failure to secure action in this direction. Still, as he had money to the amount of one hundred thousand dollars in Spanish hands, he had to keep up the semblance of devotion to their purposes.

In 1801 we find Wilkinson once again in the Federal army, with the rank of brigadier-general. He gives no explanation of his reëstablishment in the army, and his reappearance there in high command, after his well known relations to the previous Spanish intrigues, is one of the mysterious incidents of American history. What is still more curious is that he was placed in command of the very department where he could have the most to do with the Spaniards. He remained in communication with the Spanish authorities after he entered on this responsible position.

In the term of President Madison, Wilkinson at last fell under suspicion. Charges of official misconduct in many different events were brought against him, and it appears from the official records that he was ill used by the Federal authorities, who appeared inclined to prejudge his case and not to give him a fair trial. His first trial was in the National House of Representa-

tives, which seems to have been unfair in its methods. The next was before a court-martial, which appears to have given his case a most exhaustive consideration. Although in this trial his judges seemed to have been prejudiced against him at the outset, the verdict was distinctly in his favor. It was clearly proven that the several "mule loads" of silver which he had received from the Spanish authorities were in payment of debts due him on account of tobacco furnished before he rejoined the army, though the charge that he had been a pensioner of Spain during his period of civil life was not disproved.

The court-martial reported that in his negotiations with the Spaniards he was actuated by a desire to receive the money justly due him, and that any excess of attention given by him to the Spanish authority was to be explained by this fact. It was clearly shown that when Thomas Power came with the last proposition of the Spaniards, that which afterwards brought trouble to Messrs. Nicholas, Innis, and Murray, he went from Kentucky to Detroit, where Wilkinson was then stationed. The latter received him coldly, and without heeding his propositions sent him back under guard to the frontier, with orders not to return under any circumstances. The last "mule load" of silver had been received, and it was no longer necessary for him to keep any communications with the Spaniards.

Although acquitted by a jury of his peers, Wilkinson was still the subject of constant watchfulness and covert hostility on the part of Secretary of War Armstrong, and apparently also on the part of President Madison. After the War of 1812–1815, in which he evidently did faithful though hampered service, he was once more

court-martialed. Again the prosecution was singularly vindictive, and again did General Wilkinson receive a complete exoneration from very grave but evidently unsupported charges brought against him. It is impossible to give him too much credit for the signal ability with which he conducted his defense in both these trials. His speeches in his own defense, though affected and stilted, are capital specimens of pleading. In the closing appeal which he made to the court in his last trial he rises to the height of true eloquence.

No one can go patiently over the records of these trials without feeling a keen sympathy with this able man. Whatever his error of judgment in the Spanish negotiations may have been, though it was probably grave, it was atoned for by long and devoted services in the midst of a constant hostility from his superiors. Soon after the last trial Wilkinson left the army and went to Mexico, where he died in 1825. There is no more enigmatical or more pathetic figure in American history.

In the following two years the State, relieved of its anxieties of Indian warfare, and with its desires concerning the navigation of the Mississippi gratified, pursued a course of peaceful development. This period of repose is naturally marked by an increased interest in educational matters. The institution known as the Kentucky Academy was established by subscriptions amounting to $10,000, which came in the main from the Eastern States. The State supplemented this sum by a gift of six thousand acres of land, while an equal amount was given to four other academies.

This attention to local affairs must not be taken as evidence that the State had in any way relaxed its close

watch on the behavior of the much suspected Federal government. It now repaid, with interest, the suspicion which the Federal government had long given to its own actions. On the passage by Congress of the famous alien and sedition laws a storm of protest broke out against the centralizing tendencies of the Federal government. As is well known, those laws were provoked by the behavior of Genet and his partisans. They provided the government with power to expel foreigners for certain causes, and also made it a felony to libel the President of the United States or either house of Congress.

To a people disposed to find in each successive step of the Federalist party an intent of changing the republic to some form of a monarchy, these additions to the central power might well seem dangerous. That which concerned the expulsion of foreigners was of no particular account, but the sedition clause would even now be regarded as an intolerable piece of legislation, for the reason that, however great the evil that comes from reckless political abuse, it would be a thousand times worse to grant the central government power to limit discussion of its acts.

So far from regarding the outbreak of passion that these laws provoked as an evidence of seditious discontent, we should rather look upon it as evidence of a proper sensitiveness to the danger of over-government. We have seen that those who were working in the interest of the Spanish government, and who had a "sinister interest" in discovering a treasonable party in Kentucky, had failed to see any chance for the creating of such a party. This must be taken as *primâ facie* evidence that there was no material for rebellion in Ken-

tucky; indeed, it goes far as an answer to the assertion that the State was in a seditious mood. But let us now look at the other evidence of a secession spirit, which some students think they find in the resolutions of 1798. These resolutions were adopted in November of that year. They were offered by John Breckinridge, one of a long line of distinguished men, but they undoubtedly were approved by Jefferson, if they were not actually from his hand.[1]

The greater part of these resolutions is now so well accepted that even the most federally minded would hardly be willing to question them. The statement, however, that "each party has an equal right to judge for itself, as well of infractions as of the mode and measure of redress," contains the element of political heresy that deserves attention. There can be no reasonable question that this statement expressed the nearly unanimous opinion of the people of Kentucky. There was but one dissenting voice in the two houses. This was given by William Murray, who had been one of the persons selected by the Spanish Governor Carondelet as likely to favor the secession of the State. It appears possible that his dissenting vote was given in order to balance his as yet unpublished relation to that intrigue; it certainly was a favorable occasion for him to purge himself of that iniquity.

At this time the legislature contained a very fair representation of all the elements in the State, Federalists as well as Separatists. We cannot believe that a reference to the people would have changed the result. In considering this vote we must bear in mind the fact that, less than three years before, bold and well in-

[1] See Appendix B.

formed men had deemed it chimerical to try to separate the State from the Federal Union. There had been nothing in the mean time to change the temper of the people. On the contrary, everything conspired to bind them more firmly to the Federal government.

The Indian difficulties were suppressed and the navigation of the Mississippi was in a fairly satisfactory position. With these matters settled, there was no longer any basis for rebellion.

The victory of Wayne had certainly done much to insure the respect for the Federal government, as it made an end of the charges of incompetency, so often and with such good reason brought against it.

We must find the explanation of this nullification doctrine, however, in the general conditions of the public mind as to the nature of the Federal relations. At the outset of this inquiry we should notice that it is difficult for us to see in this day the way in which people looked on the Federal government during the tenth decade of the last century. The several colonies had fought their war of separation from Britain as separate political units, each with its own motive, and none with any distinct idea of what the future government was to be. Each had fought for its local rights, for its own hand. These local rights were all that there were to fight for. The essence of their struggle was for local, as distinguished from external, government. The long political struggle of Kentucky for separation from Virginia is in itself a capital instance of the feeling of this time. The better known debates in the convention that adopted the Constitution of the United States show that at every point the States fought zealously, even furiously, for their separate rights. No candid person can read

these debates without rising from his task with the conviction that the delegates of this constitutional convention failed to determine the precise relation between the States and the Federal government. They were driven farther than the people had gone, or were then prepared to go, in the direction of consolidation by the logic of facts that they only could perceive in their full meaning. If there had been an effort to put the sedition act in the constitution, no one can doubt that it would have been overwhelmingly defeated in the convention. The fate of the Adams party in the next coming election shows plainly that even in the States that inclined most strongly to Federalism, these laws were generally disapproved.

Since the one distinct object of the American Revolution had been to secure local government, it is not to be wondered at that a people who more than any other in the United States were by their history devoted to this end, should have revolted against the alien and sedition laws, which clearly were very dangerous advances in the direction of that consolidation against which they had effectively protested in the convention. In the extremity of their conceived need they naturally turned to the patent omissions in the contract by which they were bound to the Federal government. The convention had studiously refrained from providing any means whereby the States should be coerced into submission to the Union, — differing in this regard in a very suggestive fashion from similar constitutions in other countries ;[1] and this was no accidental omission, but one that resulted from a careful discussion of the problem. That

[1] As, for instance, Switzerland, which provides for a process of federal execution.

patriotic men felt this doubt about the conditions of the constitution is well shown by the, subsequent proceedings in other States, — notably in Virginia and Massachusetts, — where men whose character cannot be impugned without casting a shadow on a whole people, took the same view of the relation between the several States and the Federal government.

We must grant that the seeds of nullification and secession were in these resolutions of '98, but these germs of trouble were sown in the events that led to the independence of the colonies, and were nourished by the intentional omissions of the constitution itself. The constitution as we know it, an instrument affirmed partly by assent of the greater part of the States, then by the circumstances of the South Carolina nullification in the fourth decade of this century, and finally by the result of the civil war, did not then exist. All that was before the minds of men was a new and very debatable instrument, concerning whose meaning there was naturally a great difference of opinion. The Kentucky resolutions were the first proclamation of the great discussion which was destined to continue for two generations, to be in the end decided, as it could only be decided, by a third, in the most famous civil struggle of all time.

That the resolutions were intended only as the expression of a sentiment, and not as the basis for any contemplated action, is shown by the previous and succeeding course of politics within the State. It would be a distortion of history to look upon this action as if it had been taken in 1860. It was, in fact, only a caveat directed against the course of a party disposed to take an even more unconstitutional view of the Union than was held by those who voted for the resolutions.

After having thus relieved its mind on this engrossing question of national politics, the Kentucky assembly turned some of its attention to the difficulties of its own organic law. During this period, as too often in the subsequent history of the Commonwealth, the interest in national politics had overshadowed the local needs. The first step was to improve the local government by calling a convention to revise the constitution. This instrument, like all first instruments of the kind, was found to be unserviceable in several respects. The people did not like the system of choosing the governor and the members of the upper house by the electoral college plan, but desired to have a more immediate power of election. The immediate jurisdiction of the Supreme Court in land cases was also unsatisfactory to the people; the danger of land suits caused by the rude methods of survey in use was being amply justified. As the land was still of relatively slight value, and the means of communication with the seat of the court limited, this method of procedure was troublesome. With the action carried on in a local court the owner and witnesses, even in case of appeal, would have no occasion for resort to the State capital. These matters were changed by the constitutional convention of 1799; other alterations were also introduced. The governor and senators were made elective by the popular vote, and the Supreme Court hereafter had only appellate jurisdiction. The spirit of revision had already led, in the session of 1797–98, to considerable alterations of the criminal code. This legislation limited the penalty of death to the crime of deliberate murder, — thereby showing an advance in the theory of punishments remarkable in a primitive community.

The last political act of the century was an effort to amend or repeal the resolutions of '98. The Commonwealth had solicited the coöperation of the other States of the Union; but, except in the case of Virginia, she had received no approval, and some of the answers were bitter in their tone. This bitterness is particularly noticeable in the reply which came from the Legislature of Massachusetts, and was one of the sources of the dislike that long existed towards that State among the Kentucky people. The result of this effort was that the reconsideration was denied and the resolutions reaffirmed. This reaffirmation of the long debated resolutions shows clearly that they were based on the deliberate judgment of the people, and were not in any way the result of hasty or inconsiderate action.

The Federal census of 1800 showed an astonishing increase in the population of Kentucky. The total had risen to 221,955; 179,873 were whites, 40,343 slaves, and 737 free colored. Thus the whites had increased about 200 per cent. and the slaves 224 per cent. in the preceding decade.[1]

[1] See Collins, i. p. 25.

CHAPTER XI.

THE BEGINNING OF THE CENTURY.

THE first year of the new century was an eventful one in Kentucky. The long pause in warfare had given a chance for the minds of the people to turn into other more peaceful channels. The first work of this social change was a great increase in the religious sentiment. That form of religion known as Methodism, which long ago had reached its height in the Eastern States, now began rapidly to develop in Kentucky. The excitement was very great. One camp-meeting, near Paris, was said to have been attended by twenty thousand people. Thousands were thrown into the convulsive state that was then believed to be a mark of the divine power. Although such exhibitions are not pleasant to those who take more sober views of religion, there is no doubt that these violent revivals of the religious impulse, which for years marked the history of Kentucky, were very important elements in determining the quality of the people. At one time or another, perhaps one half the population was brought under the influence of an enthusiasm that for a moment took them quite away from material things. There are more refined ways of awaking the altruistic sentiments than were followed in the old Methodist revivals; but in these rough-cast folk, hardened by a life that was necessarily very material, and with few influences that were calculated to

awaken the sympathies or the deeper thoughts of the mind, these religious excitements had their value in mental culture. Thousands who never otherwise would have been taken from the life of the day obtained some insight into the depths of the problem of existence, which could come to them in no other way.

To a large part of the people who came under this strong influence of religious fervor the result was momentary, but a larger part yet got from it effects that lasted all their lives. No one, who remembers the people who owed their conversion to this time, can doubt that on the whole it was a blessed influence, and did more than anything else to smooth away the rudeness which the endless combats of thirty years had put upon the people.

In the train of this "revival" came, naturally enough, the development of the first distinct anti-slavery movement in Kentucky. Even as early as 1799, Henry Clay, who had recently settled in Kentucky, was an advocate of emancipation, but nothing came of his project until years afterwards. In 1804 a number of Baptist ministers, six of whom are described as men of note and others of no fame, started a crusade against slavery.[1]

"They called themselves," says Collins, "the friends of humanity, but we know them in the record of these times as emancipators." There is no mistaking their object; none of the Abolitionists of later day could have been stronger of speech. Their church pronounced against them, saying "that it was improper for minis-

[1] The six men of note were Carter Torrant, David Barrow, John Sutton, Donald Holmes, Jacob Gregg, and George Smith. See Collins, i. 419.

ters, churches, or associations to meddle with the emancipation of slavery, or any other political subject;" advising them to "have nothing to do with it in their religious capacity." These protestants against slavery unfortunately withdrew to a separate local association known by the curious name of "the Baptist Licking Locust Association Friends of Humanity," and in this narrow field soon ceased to be heard of more. This society marks the beginning of the outspoken opposition to slavery which was destined to a slow though a sure growth in the years to come. We shall have occasion in the sequel to examine into the history of this opinion.

In 1802 the first banking system of Kentucky and of the Mississippi Valley grew out of an accident of legislation. The growing trade with the Lower Mississippi, begun by Wilkinson and his associates, and now of considerable importance, made some system of insurance necessary. This trade was conducted principally by small merchants, who could not well afford themselves to take the risks of the little craft which they floated down and "poled" up the stream. A company was therefore chartered to give them the protection they required from total loss by accident. This charter contained a provision which allowed the company to issue transferable notes, and so the State came by a banking system that served a good purpose for many years. It was well it came by chance, for these people had much the same objection against invested capital that marks the Granger movement of the present day. The charter for a bank, as such, would certainly have been refused. This fear of paper currency, which long remained a permanent feature in Kentucky, rested

upon an unhappy experience with the Continental money, through which the country had just passed. The lesson was severe enough to be well remembered.

In this year the trade by the Mississippi, which now was the life of the rapid commercial advance that was going on in the State, was suddenly interrupted, the treaty conceding it having expired without renewal. At once the State was again in a flaming excitement over the navigation question. Before the disturbance could go far, a fortunate stroke of diplomacy ended the question forever. By the treaty of St. Ildefonso, France regained the territory of Louisiana, which years before she had lost to Spain. It came back to her with its bounds essentially unchanged. Bonaparte was then on the eve of war with England, in which this fair colony would most likely be wrested from him through the command of the sea that Britain enjoyed. He therefore sold it for the sum of eighty million francs to the United States. On December 20, 1803, the Americans took possession. It is worth our notice that General Wilkinson received the possession for the Federal government. Thus, by the chance of time, this intriguer came in a legitimate way to enjoy authority in Louisiana.

Wilkinson and his followers reappear in the next considerable incident in Kentucky history, namely, the Burr conspiracy, which in its motives and its following is the natural successor of the French and Spanish movements.

There is great difficulty in telling the story of this remarkable conspiracy. Burr, its leader, was a measureless liar. Several of the men arrested with him were persons singularly skilled in intrigue, and remarkably able in holding their secrets. Burr was a man of

commanding intelligence, of marvelous self-possession, and great foresight. Unhappily these great abilities were marred by an instinct for dangerous intrigue and an infinite untrustworthiness. He was Vice-President in the first term of Jefferson's administration, and seemed then in a fair way of promotion to the highest honor. Failing to achieve this, he conceived a vast but historically obscure project of a south-western empire, which was to be won from the territories lying to the south and west of the United States. This project appears to have taken shape in his mind while Louisiana was still in the hands of Spain. His purpose at this time probably was to use the desire of the people in the Mississippi Valley to gain a hold upon the outlet of that stream for the advancement of his fortunes. The cession of Louisiana cut a portion of his ground away, but did not altogether destroy his hopes of success. The Spanish possession of Mexico, then including all of Texas and the unknown region of the Rocky Mountains, still afforded a wide field for action. It appears likely, however, that he had some idea of separating this region of the Mississippi from the control of the United States, uniting it with the conquests that he hoped to make in the area still claimed by Spain. The project was a great and shadowy scheme, but more captivating to the wild spirits of the time than if it had been clearly defined.

In the summer of 1805 Burr journeyed through Kentucky, and began the arrangements for the execution of his project. Again, in the following summer, he passed through the State on his way from New Orleans to the island home of Blennerhasset, in the Ohio, where he had his headquarters. Although his machinations

were quietly conducted, enough was known of their purport to enable Mr. Daviess, the attorney for the United States, to lay the outlines of the scheme before the President. It was necessary to construct many boats for the transportation of the several thousand men who were to be engaged in the expedition, and this work necessarily attracted attention.

In the summer of 1806 a letter from Burr to General Wilkinson, who was then territorial governor of Missouri, became public. In this Burr made the largest possible claims of support in his project from the Federal government as well as from England. He asserted that the navy of the United States and the British squadron at Jamaica were to coöperate with him, — a statement that should have aroused suspicion of his sanity. In this letter there is no announcement of a definite plan, no statement of the end to be attained. There is questionable testimony as to his conversations at this time which goes to show that he had some idea of getting control of the Mississippi Valley, and afterward of changing the whole government of the United States. If this testimony can be believed, it affords, as the historian Butler remarks, fair ground for believing that Burr was insane.[1] In November, 1806, Daviess, as attorney for the United States, made a presentation of the case to the Federal court, and asked for process against Burr. Although this application was denied by the court in Burr's absence as "unprecedented and illegal," and Burr was under no obligation to answer further, he chose to present himself before the court and demand a trial, claiming an absolute innocence of the charges. Owing to the absence of witnesses Daviess could not

[1] Butler, *History of Kentucky*, p. 312.

prove his allegations; the grand jury failed to find a bill of indictment, and Burr was discharged. The event was of no particular consequence in the history of this conspiracy save that it affords complete proof of Burr's utter untrustworthiness. Henry Clay, who had begun his great career in Kentucky, was one of Burr's counsel. Before Clay took charge of the case he received Burr's pledge of honor that he was in no way engaged in such a project as his enemies charged.[1] It is only necessary to say that the letter to Wilkinson, which afterward came to light, was written in the preceding July. There can be no doubt that this declaration of Burr to Clay had much to do with his immediate acquittal. To the singular charm of person and manner with which this man was blessed, and which overpowered the hearts of men and women, we must attribute the wild joy with which his acquittal was received. Still the charm was not all Burr's alone. The people of this State undoubtedly longed for adventure. The old avenues of action were closed. The State was full of men who had lived through the heroic age of the country, and the rising generation caught from them the love of conquest. These men inherited the spirit of the Elizabethan English. For two centuries their blood had been constantly stimulated by contests, and was as yet untamed by the commercial life that has in later days, in part, changed the motives of this people and inclined them to the ways of peace. We cannot deny that the mass of the Kentucky people were always "fillibusterish," though they had at the same time a political sense which weighed down the natural hunger for adventure. There is not a decade in which we do

[1] See Collins, i. p. 293

not find some evidence of this motive, until the civil war, with its hard fighting, wore out the old humor, — at least for a time.

Burr's bubble collapsed; no force was necessary to make an end of it. His ten thousand men dwindled down to less than five hundred. Wilkinson, on whom Burr seems to have relied for material support, immediately divulged his plans to the government. Once again it is difficult to say whether in this act Wilkinson played a double part or not. The first court-martial that tried him acquitted him of the charge of treasonable correspondence with Burr; but it is hardly to be believed that Burr would have unfolded his plans to him without some evidence of sympathy.

The excitement concerning Burr's project led to an investigation of the malfeasance of Judge Sebastian, before referred to. This miserable man was found to be a hireling of the Spanish government all the while that he had been a member of the highest court of the Commonwealth. It was in this legislative inquiry that the history of the last effort of Spain to seduce Kentucky from her allegiance became known. As before noted, the offer of Spain was rejected by all the parties to whom it was addressed. Even Sebastian, though in the pay of Spain, agreed with the others in this judgment. The inquiry resulted in the resignation of Sebastian. As there was no violation of statutes in his conduct, prosecution was impossible. With this incident the long history of the Spanish intrigues was quite exhausted. The materials for a full account of this curious effort on the part of Spain are not yet accessible. There is probably no incident of American history that would be so profitable a subject for careful study.

After this period of political disturbance there came a term of years in which the historian finds only material growth to be recorded. This process of development was going on with extreme rapidity, as will be seen from the tables at the end of this volume. The census of 1810 showed that the population had risen to 406,511, of which the whites were 324,237, slaves 80,561, and free blacks 1,713. By comparing this record with the census of 1800 it will be seen that the negro population was now gaining on the white, the increase of the former being at the rate of eighty-four per cent. and of the latter ninety-nine per cent. There was also a noticeable increase of the free colored people, which now amounted to more than two per cent. of the total population of African descent. The rate of increase of the free blacks was about one hundred and fifty per cent. This rapid increase of the free blacks is fairly to be taken as an indication of the anti-slavery propaganda that began with Henry Clay. Although there is little in print about it, there is evidence enough to show that the minds of the people were strongly directed to the consideration of this grave question.

The long period of political quiet that marked the first years of the century was broken first by the Indian wars in the northwest, and these campaigns gave a last chance for many an old Indian fighter to renew the memories of his youth. The battle of Tippecanoe ended the struggle. It was a trifling action as regards the number engaged or the number who fell, but for the moment it roused a great enthusiasm among the people. Kentucky lost in this battle two valuable citizens in Colonels Daviess and Owen.

At this time the tide of people that hitherto had set

like a flood into Kentucky began to pour from its territory to the western and northern fields. There were many who found the wrestle with the Indians and the wilderness sweeter than all the satisfactions of civilized life. Among those who went into the then far West was the now aged Boone. This singular, guileless man had lost all his "land locations" in Kentucky through a lack of capacity to care for his affairs. So he removed to Missouri when near seventy years old, though yet a vigorous man, hoping to make a new life in that wilderness. He there entered ten thousand acres of land, but again lost it through some informality in the legal conditions. In his extremity he besought the help of Kentucky in a simple yet affecting memorial, stating "that he had no spot he could call his own whereon to lay his bones."[1]

The State begged a gift of ten thousand acres of land for him, and Congress readily granted the petition; but this, too, was soon lost in some lawsuits, so that the brave old man, who had helped to conquer an empire, died landless at last. In dismissing this old heroic spirit it is proper to state that the popular opinion that Boone was the leading pioneer in Kentucky is a mistake. His

[1] We may here notice the curious habit of burial on the land of the deceased to which Boone alludes. As is well known, the English ancestors of this people had the usual habit of burying in churchyards. In the scattered population of Virginia churchyard burial in such places became impossible. In its place grew up the habit of interring the dead beside the homestead. This ground, consecrated by the dust of the family, was the last possession parted with; indeed, it almost always remained in the possession of the kindred to the farthest generation. So it came about that for a decent man to own no acres that might receive his dust was something that appealed strongly to his fellows. It is a social instinct peculiar to the Southern States of this Union.

adventures were singularly picturesque, and at the outset his calm heroism was of great value in giving confidence to the settlers; but he did not have powers of command. There was a certain silent diffidence in his temperament, a lack of self-assertion, which hindered his promotion among men of that time. In later years the people seized upon him as a type of the pioneer. It chose well, but his place in Kentucky life was never as large as it is commonly supposed to have been.

CHAPTER XII.

THE WAR OF 1812.

THE Indian disturbances that led to the Tippecanoe campaign were stimulated by the controversies that presaged the War of 1812. It was only after some years of dispute that trouble came to blows, but the British and Canadians doubtless aroused the spirit of depredation in their willing allies, the savages, long before war actually began. The Kentucky people, through their public meetings and their legislature, expressed their desire for this struggle some years before it came. The irritations of the Revolutionary War had never been allayed nor the combat entirely quelled.

In the levy of one hundred thousand men for this war with Great Britain, Kentucky's quota was fixed at fifty-five hundred. She was required to send at once fifteen hundred of these to the aid of Hull at Detroit. This call was answered by the very best men of Kentucky. So eager were they for the service that the command was swelled by volunteers, who would not be refused, to over two thousand men. As they crossed the Ohio on their march they learned of the shameful surrender of Hull's army and the important forts at Detroit. Unhappily these raw Kentucky troops were of a less hardened nature than those of earlier years. The pioneers were mostly gone. Those who remained were generally beyond the military age, so the leading officers alone were war-tried men.

Circumstances pointed to General Harrison as the fittest man for the command of the army. Hull, who was still in nominal command, was so universally contemned that the militia-men refused to serve under him. In this period it required about twenty days to make the journey to and from the seat of government. Allowing time for action at Washington, a month would go by before the evils of Hull's defeat would be remedied. There was reason to fear that the elated British army would push on at once to the Ohio, a movement that they could easily have then made. In this condition of affairs the Governor of Kentucky determined to commission General Harrison, then a citizen of Ohio, as major-general of Kentucky, and set him in command of an expedition to retake Detroit, if possible, or at least to stay the tide of invasion by a vigorous move in that direction. This bold resolution is a capital proof of the military energy of the Commonwealth. With this force from Kentucky, together with militia from Cincinnati, Harrison moved swiftly to the north, his army swelled by continual additions of volunteers from both sides of the Ohio River. He was soon upon the waters of the great lakes. The Indians fled before him, their scouts carrying the report that "Kentuc was coming as numerous as the trees." He relieved Fort Wayne, on the Maumee, from its siege without having to fight a battle. Thus the first object of the movement was accomplished without difficulty. The southward march of the British was arrested, and time was given for the Federal government to act.

Further successful advance of Harrison's army was hindered by many difficulties. The autumn weather was exceedingly trying; the men were compelled to march

knee deep in miles of swamps that covered this country in the rainy season. Taken at once from comfortable homes to this miserable life, without any of the hardening experience of camps of training, with no fighting, no excitement, except the work of burning abandoned Indian towns, the troops lost heart. One of the Kentucky regiments revolted, though it was quickly brought to its duty by the vigorous remonstrances of its officers. With an army worn by vain marching, unprovided with artillery, and poorly fed, Harrison's battle was for a long time fought with the wilderness and winter for his foes. In January, 1813, the westernmost part of the army found a chance to strike a blow at the British and Indian force at the river Raisin. Although these events were beyond the limits of Kentucky, they are a part of Kentucky history, for nearly all the men engaged were from this Commonwealth, and the consequences of the action were far-reaching.

The immediate aim of the movement that led to the battle of the Raisin was to overwhelm a body of about four hundred Indians and British, who were fortified at Frenchtown, on that river. This post was within a day's march of the large British garrison at Malden, and two days' march from the fort at the rapids of the Maumee. The opportunity was good, and a successful attack followed by an immediate retreat upon the Federal base would have been a brilliant military stroke.

A detachment of about one thousand Kentucky troops, under the command of Colonel Lewis, was sent upon this errand. They were, in the main, the regiment of Allen, which had lately been guilty of insubordination. The attack was successful; the fortifications were carried by storm, and the garrison pursued

a considerable distance. Then, in place of promptly retiring, the captured fort was held and a report of the success sent to Winchester, the commanding officer of the brigade. Winchester, instead of ordering a retreat, came to the fort with two hundred and fifty regulars under Colonel Mills. The circumstances demanded that these fresh troops should have been placed within the stockade, but from some stupidity they were quartered in the open ground at some distance from the fortifications.

On the morning of the 22d the army, which had slept without pickets, was suddenly assailed by a force of two thousand British and Indians. The first charge was directed against the stockade, but this, though made by regular British troops, was easily repelled by the Kentucky volunteers with great loss to the assailants. Next the blow fell upon Mills' exposed men. Overwhelmed by numbers, this force was quickly put to rout. Colonels Allen and Lewis, with some of their men, left the entrenchment they had so well defended, and endeavored to turn the fugitives into the enclosure, and so save them from utter destruction. Allen was killed in his effort to bring some order out of the confusion, and Lewis was taken prisoner. The militiamen were now left without their commanders. Several other of the bravest under officers had fallen beyond the stockade in their effort to save a portion of the regular regiment from massacre. Although this sally of the leaders into the rout they failed to stay, and in which they fell, was ill-judged, it is one of the most valiant incidents in Kentucky history.

The beleaguered men in the weak fort kept up their resistance for several hours, but their stockade was

under fire from a battery of artillery which searched every part of their slender defenses. Only when their ammunition was almost exhausted did they surrender, under promise of honorable conditions. There is no reason to doubt that General Proctor, the British commander, intended to keep his promises, but the wounded men were left on the ground without sufficient guard. At night the Indians, wild with drink, broke in upon them and butchered them all in a most atrocious manner. This grave disaster carried sorrow throughout Kentucky; the loss, including the men massacred, was not greater than had been met in other fields, but the butchery of the wounded inspired a fury that was marked in the later events of the war. To this day the river Raisin is remembered in every old family in Kentucky as a name of horror.

Occurring in midwinter it was months before there was any chance to recover from this severe blow; it was the more discouraging, since it came at about the same time as a much more disgraceful campaign that had been undertaken against the Illinois Indians. A force of two thousand Kentuckians, under the command of General Hopkins, went upon this expedition. The command crossed the Wabash River in October, and went in search of a Kickapoo Indian village. They expected to arrive there after a march of eighty-five miles; this march was prolonged until the provisions were exhausted without finding any Indians whatever. The disgusted troops, convinced that they were on a wild goose chase, refused the request of their commanders to pursue the march one day longer, and sullenly returned to Vincennes. They judged rightly, as it afterward turned out, for the town they were seeking was

three or four days' march beyond the point where they turned back, and it would, with their supply of food, have been impossible to reach it; but no properly minded man, certainly no one who has been a soldier, can acquit these men of conduct that was disgraceful.

The behavior of these raw levies in the armies of Hopkins and of Harrison, as well as all other experiences with Kentucky troops, shows that they require a long discipline before they are fit for the routine endurance of the soldier. Even when fresh from their homes they can be trusted to take punishment and to strike hard blows; but they have too much individuality to stand the continued trials of the march. They have been too much accustomed to be a law unto themselves to make them patient in the dull round of toil which makes up the life of the soldier until they have been well and carefully disciplined. Most officers will agree, however, that they would rather have material that was insubordinate at the outset, than men who went at once with ox-like patience to the yoke that every private soldier has to bear. This otherwise minded and impatient population gave, in the next generation, the material that made such troops as the 1st Kentucky Brigade in Johnston's Confederate army, and a host of other commands that showed the perfection of soldierly qualities.

Harrison's inaction left his army in a shape to be besieged by the British. If they had not been so slow they might, indeed, have driven him back to the Ohio. As it was, his adversary, General Proctor, if anything a worse soldier than old Tippecanoe, gave him ample time to make for his defense a moderately strong fortification at the falls of the Maumee, known in history as

Fort Meigs. After he had received some reënforcements and supplies from Kentucky, on about the first of May, he found himself strongly besieged by the British forces. He had little artillery, and this was so scantily provided with ammunition, that the greater part of his shot were with ammunition, that the greater part of his shot was that which came to him from the enemy's bombardment.

The troops from Kentucky and Southern Ohio, which had been gathered for the relief of Fort Meigs, succeeded in getting an understanding with its commander as to the steps to be taken in the effort to raise the siege. This plan was too complicated for the class of troops that were to execute it, for it involved several delicate manœuvres that demanded a high degree of discipline. The immediate assault succeeded; the enemy's batteries, taken in rear, were carried, but the militia-men, their blood up, wildly pursued the fugitives and were, by a judicious movement of the British commander, cut off from the rest of the army and captured. They would probably all have been butchered by the Indians but for the timely arrival of the brave and honorable chief, Tecumseh, who stayed the work of slaughter. Although the fight of the 5th of May was a decided defeat for the Americans, General Proctor felt that his position was critical; and believing that the Kentucky reinforcements were much larger than they really were, abandoned the movement, and took up his position again in his strong fortifications at Malden.

Considering the fact that Proctor's force was probably much larger than the combined American troops, the operations that ended the siege succeeded better than they deserved to do, for which our forces had to

thank the inefficiency of the British commander, since their own movements were so badly managed as to invite defeat.

The only brilliant episode in this extremely dull and ineffective piece of campaigning was the defense of a stockade called Fort Stephenson. This post was held by Colonel George Croghan with one hundred and fifty men; on his way from the siege of Fort Meigs General Proctor endeavored to carry this post by assault. Croghan[1] had been ordered to withdraw from it, but before he could effect the movement the place was assailed by the half of Proctor's army. When summoned to surrender, Croghan defied his enemy to an assault; they, trusting to their tenfold superiority, tried an escalade, but were easily beaten off with heavy loss.

In Perry's ship fight on Lake Erie a force of Kentuckians served as musketeers, where they did good service. This victory required Proctor to abandon Detroit and withdraw his army to the north side of the lakes. Here he was followed by Harrison. In a short time, owing to his blundering ways of warfare, he was forced into an action on the banks of the Thames. He was considerably outnumbered by the American army, but he had the choice of position, a fairly strong one, and he had one regiment of British regulars in his command. His total force was about two thousand, while the Americans had over three thousand men. This action is properly a part of the history of Kentucky, as, with the exception of a few regulars and some volunteers from near Cincinnati, also largely of Kentucky blood, the whole force was from that State.

The greatest advantage of Proctor's army was that

[1] Croghan (pronounced Crawn).

he had with him the great Indian chief, Tecumseh, and the flower of his army, composed of savages who were fairly disciplined and inured to war. This noble red man had succeeded in giving the warriors of his race a steadiness and a soldierly quality which they never possessed under any other commander, at least in the old days. He had a great and elevating influence upon them, restraining their brutalities, and lifting their minds to a patriotic fury. He was one of the few Indians of whom we can say he had a great moral force.

The attack was begun by a simultaneous charge upon the British and Indian forces; against the weak British line the assault was quickly and completely successful. The force of regulars was broken almost at the first blow, and pursued from the field. The Indians made a far more effective resistance. The charge of the mounted Kentuckians was repulsed, and the attack quickly degenerated into the old-fashioned skirmish firing that marks the ordinary Indian fighting of these days. The defeat and destruction of the British contingent left the Indian antagonist in a position to be easily enfolded by the superior force of the Kentuckians. The death of Tecumseh, which occurred early in the action, was an overwhelming blow, so that they were soon driven from the field.

In this fight we can plainly see the rapid ripening of the Kentucky troops in the art of civilized warfare. In a few months they had passed from a rabble, which could hardly be trusted to bear the fatigues of the march, to men who could be relied on to take the heaviest burdens of war. Their attack quickly overwhelmed a line of regular British troops; this is sufficient evidence of their soldierly quality gained in a few months'

experience. The rest of the Canadian war did not involve Kentucky troops, and may therefore be dismissed from consideration. We therefore turn to the last and most brilliant campaign of this war, that of the Lower Mississippi, including the battle of New Orleans. The abdication of Bonaparte had released a large British army that could be used against the United States. Their other campaigns in the northern and eastern country showed the British that they had little hope of conquests in that direction. There remained the chance of striking a great and heavy blow at the country by occupying the delta of the Mississippi. There is reason for surprise that the British had not taken this chance at an earlier stage of the war. The mouth of the Mississippi was practically undefended. It was of slow and difficult access from the centre of population in the Northern States, and the native element was not to be trusted to make much resistance against a vigorous attack; a few light ships and a corps of three thousand men might, if acting quickly and with a little address, have gained a position from which it would have been impossible for the American forces to dislodge them.

When Pakenham, with a force of ten thousand men, was sent on this expedition, although he had the flower of the British troops with him, and was himself an officer of excellent ability, he seems to have left all his wits on the other side of the water. His error seems to have been that he despised his enemy, and chose rather the ways of a dress parade than the swift and vigorous measures of war in dealing with his foe. This state of mind was probably due to the recent cowardly behavior of the American army at Bladensburg, when they abandoned the Federal capital to destruction in

a disgraceful way. Pakenham, fresh from successes over the best troops of Europe, assumed his success as assured. He expected no serious fighting.

When it became certain that a blow was to fall on the region about New Orleans, the Federal government did the little that was possible in the way of making preparations that had been all too long delayed. General Jackson, of Tennessee, who had made a measure of fame in conflicts with the Indians of the South, and whose energy in emergencies was well thought of, was sent with seven hundred men to the post of New Orleans. When the British landed, his whole force consisted of this handful of regulars and about three thousand half armed and wholly undisciplined militia drawn from the adjacent country. The British were obligingly slow in their disembarkation and in their initial movements, so that time was allowed for Tennessee militia under General Coffee, and a brigade of Kentucky troops under General Thomas, to arrive before the main attack was prepared. When the Kentuckians arrived they were without proper arms, and, like their brethren of the northwest army, entirely without any other discipline than that which they had received in their worthless local musters.

Before the arrival of these reënforcements Jackson, who was as vigorous as his enemy was dilatory, had already delivered a serious blow to them as they advanced from their landing-place. With twenty-five hundred men and an armed schooner he assaulted them in the march. The attack was in the night, and led, as such attacks are apt to do, to utter confusion on both sides. Jackson's assault, though ineffective in checking the British advance, made it more cautious, and

gave him some days in which to receive further reenforcements and to complete his preparations. A portion of his Kentucky troops were at last supplied with arms, but at best not over one half of those present were even able to do more than load the muskets of those who occupied the actual line of battle.

The slowness of the British movements gave Jackson twelve days, after the time of his night attack, in which to complete his preparations. At the end of this time he had a very strong position on the east, or New Orleans' side of the river, where the principal action was evidently to be fought. The British made a feeble reconnaissance on the 28th, that served only to show Jackson the danger of having his left turned. After that the enemy gave him eleven more days in which to avail himself of this information. At the end of that time his lines were too strong to be forced, even when assaulted by the veterans of the Peninsula and defended by raw militia, without a heavy preliminary treatment with artillery, which the enemy did not try to apply to them.

Finally the deliberate Pakenham arranged his plan of assault. He sent fourteen hundred men to the west bank of the river. The remainder of his infantry troops, amounting to about fifty-five hundred men, were to assail the main lines. Jackson's whole force amounted to about the same as the British. There were seventeen hundred men on the west bank and forty-nine hundred opposed to Pakenham's main column. The Kentucky troops were disposed as follows: One hundred and eighty were with Morgan's line on the left or west bank, and eleven hundred were placed with Adair in the centre of the main line on the eastern side of the river.

When the assault came it was made with all the precision of a parade. It fell at once upon the lines on both sides of the river. On the west side the British carried the ill-constructed fortifications in one charge. The resistance was of the feeblest sort. The small force of Kentuckians behaved like the rest of the outflanked force. If the battle had depended on Morgan's men it would have been a sorry day for the Americans. On the eastern side of the principal attack it was, as we all know, a very different story. There Jackson had massed his most trustworthy men in a line several files deep. Where he expected the heaviest assault, it is said that the men were packed six ranks deep, — those in the rear passing their loaded muskets to the front ranks, receiving from them the discharged guns, thus keeping up a much more steady fire than was possible with the ordinary formation of a line of battle.

Against such a fire, steady and coolly delivered, not even Pakenham's veterans could stand. The British never came into a position near enough to the fortifications to do any real fighting. It was a mere butchery, such as was never seen before or since in modern warfare. The British charge was, like that of Balaklava, magnificent, but it was not war.

It is small praise to say that the Kentucky troops, in the centre of the line, stood well. They, like the rest of the line, never came under a serious fire. But the furious Jackson, deeming his success qualified by the defeat of Morgan's men on the west shore, and unmindful of the fact that about one fourth of his victorious troops were Kentuckians, dwells in his report on the flight of the men from Kentucky who were on the left bank of the river, as if that was the whole share of its citizens in the battle.

This hostility of the American commander to the good name of Kentucky is easily explained. Jackson was, by affiliation, a Tennessecan. Between that State and Kentucky there was always a slight element of jealousy. Tennesseeans of this time felt that they were in the position of poor relations in their intercourse with the somewhat arrogant people from Kentucky. The disgraceful flight of the Federal troops on the west bank gave Jackson's rough humor a chance to vent itself, and although only one eighth of this force was from Kentucky, he laid all the blame on them.

The campaign of New Orleans ended the important features in the military history of Kentucky for many years. The life of the people was mainly to be spent in their arts and politics for a generation to come. To those who find an interest in political history, this period is not without incidents that will well repay attentive study. A very large number of the citizens of Kentucky — nearly all the more ardent spirits, in fact — were hereafter to take themselves to the westward moving frontier. We find them all along the line from the great lakes to the Gulf. They pass from the limits of Kentucky history, yet their work should not be forgotten when we are considering the national work of this Commonwealth. We find them in every important Indian fight, in all the battles of the Texan war, as well as in every legislative assembly of the Western States. The first fifty years of Kentucky life was a good school of those arts that serve to construct and maintain a State, and the whole of the West felt the profit of its teaching.

CHAPTER XIII.

FROM THE WAR OF 1812 TO THE WAR WITH MEXICO.

Among all peoples the intervals between wars afford a series of natural divisions in their history. These disturbances are like the critical illnesses of a man, which mark stages in his history, though they may be termed unnatural accidents in his development. The period from 1812 to 1846 was occupied by the Kentuckians in a wrestle with some grave problems, which gave them even more serious trouble than their Indian difficulties. The position of this new American State in the fertile fields of the Mississippi Valley abounded in difficulties; rich in natural resources, but poor in the profits of experience so necessary to the proper control of communities. The place of this young Commonwealth was like that of a young heir of good blood and high mettle, who has just come by a great inheritance, but whose education has not in the least degree fitted him for such a care as he should give his affairs.

The life of the generation from 1815 to 1845 was full of grave blunders, but it was full of profit as well. No State has made more serious mistakes in governmental affairs than Kentucky. We shall see that one by one they exhausted the follies that it was possible for a developing community to commit, but we shall also see that they profited by their painful experiences.

The first difficulty concerned the monetary system of

the Commonwealth. The whole American experience shows how well-nigh impossible it is to bring a majority of the people of a State to a clear understanding of the principles of exchange. Men in general can comprehend the simple barter of goods; but as soon as barter is further complicated by a selection of some standard of exchange, the problem gets quite beyond their comprehension. At once these measures of value become the subject of a curious delusion; they are looked on as mysterious agents of almost superhuman power. Whether they are cowries or coins, miraculous powers are soon attached to them. When the real value of the coin becomes represented by a bank note, the money problem escapes entirely from the comprehension of the people.

The first state of mind of the Kentucky people in reference to the currency was very wholesome. They had been through the severe experience of the Continental paper money. They had seen that currency go down into the pit. For a time, up to about 1785, Kentucky was practically without any form of money whatever. The first generation after that experience clung to barter, or they used rude mediums of exchange, such as a given weight of furs or of tobacco, in their trade. The prejudice against paper money continued as long as there were any to remember the woes of the Continental period. The first bank came by accident in the charter of an insurance company.[1] The opening of a trade with the Spanish at New Orleans brought some Spanish silver into the State, and this was long the principal currency. After the War of 1812–15 the commercial growth of Kentucky was rapid; it became the main depot or supply station for all the country to the

[1] See p. 149.

west and northwest. Its industrial and social organization was then far ahead of the conditions in the other neighboring States and Territories, so that the exchangeable supplies of the region were great, and the force that before had gone towards war and politics turned towards commerce.

At this time the general resumption of specie payments in Europe, after the long suspension that attended the wars with Bonaparte, diminished the metallic currency of the American world in a way that was very destructive to its business interests. The conservative policy that Kentucky had pursued left her in excellent position at the close of the second war with Great Britain. She met the direct tax of the Federal government, amounting to $169,000, promptly. The people, bold in their prosperity, were eager for new enterprises. The trade spirit was as high as the war spirit of the preceding generation. The great stream of energy which had been developed in the battle with the forest and its inhabitants, now flowed into the pursuits of peaceful life.

The application of steam to navigation early interested this people. It was natural that it should, for their experience in navigating against the swift currents of the streams made it plain to them that they needed the aid of this power. As early as 1794, Edward West launched a small trial vessel in an artificial lake, made by damming the waters of Elkhorn Creek where it flowed through the town of Lexington. This is one of the first, though not the very first, successful trials of a river steamer in the United States.[1] The complete

[1] Some of the old geographical dictionaries speak of Elkhorn Creek as a stream navigable to Lexington. This attribution of navigability to a trifling rivulet of water came from the above experiment.

possession of the more important Mississippi waters, which was secured by the events of 1815, gave a great impetus to steam navigation. In 1820 and thereabouts, the greater number of the steamboats in the West were owned in Kentucky.

The manufactures of the State, which were considerable in the last decade of the eighteenth and the first of the nineteenth centuries, became very much extended.[1]

[1] "Kentucky was the home and burial-place of at least three of the earliest inventors of steamboats — John Fitch, James Rumsey, and Edward West. The latter was born in 1757 in Virginia, and removed in 1788 (one account says in 1785) to Lexington, where he died August 23, 1827. He was the first watchmaker there, was a gunsmith by trade, and a man of great inventive genius. He constructed a steamboat on a small scale, which in 1794, in the presence of hundreds of citizens, he had the proud satisfaction to see move through the water with great velocity, in an experimental trial on the Town Fork of Elkhorn, previously dammed up near the centre of Lexington for the purpose. This miniature steamboat had no flywheels; but to overcome the dead point, the piston-rod was made to strike metallic springs at every return motion given by the steam. The identical engine, or rather cylinder, piston-rod, framework, supply and escape pipe, were preserved for more than fifty years in the Adelphi Society of Transylvania University, and have since been transferred to the Museum of the Eastern Lunatic Asylum. On July 6, 1802, Mr. West received a United States patent for his steamboat invention. Why he delayed until then obtaining a patent, we have not learned. On the same day he was awarded three other patents — for a gunlock, for a nail-cutting machine, and for a nail-cutting and heading machine, the first ever invented, and which the celebrated English traveler, F. A. Michaux, in 1805, said cut in twelve hours 5,320 pounds of nails, and the patent of which 'he sold at once for $10,000.' Lexington shortly after actually exported nails of her own manufacture to Louisville, to Cincinnati, and even to Pittsburg — which is now the most extensive nail manufacturing point in the United States, if not in the world. April 28, 1816 (only four and a half years after the first steamboat in the West), a steamboat, made by Bosworth & West, on Mr. West's model, left the mouth of Hickman Creek, on the Kentucky River, in Jessamine County, for New Orleans. This boat, an editorial notice in the *Kentucky Gazette* says, was upon a plan dis-

The State at this time developed a considerable amount of mechanical ingenuity among its people; many of the inventions of its mechanics were important contributions to the arts. As an instance of the manufacturing development in Kentucky, we may take the business conditions of Lexington in 1817. There were then over sixty factories, employing a capital of £467,225,[1] or about two million dollars of modern money. A number of other places were important manufacturing centres during the second decade of the nineteenth century. In 1819, Louisville had sixty-four mechanical shops, and about the same number of other stores.

This rapid development of mechanical industry and the great growth of agriculture required some better system of currency than was in existence at this time. There then existed but one banking institution, — the Bank of Kentucky, with a capital of $1,000,000. After a long resistance to the project of free banking, the legislature in 1818 chartered at once forty-six separate banks, having a total capital of $8,720,000. This experiment was singularly unfortunate, for within the year the demand for specie which came from the United States Bank, brought about the suspension of payments on the part of the only strong banking-house in the State, — the old Bank of Kentucky, — and wrecked nearly all the flimsy banks that had been organized under these charters. They were mostly in the hands

tinct from any other steamboat then in use, and on a trial against the current of the Kentucky River, at a high stage, more than answered the sanguine expectations of her owners (a company of Lexington gentlemen), and left no doubt that she could stem the current of the Mississippi with rapidity and ease. She did not return." Collins, ii. p 174.

[1] Collins, ii. p. 176.

of weak men, and had begun their operations by loaning money on worthless securities.

Convinced by dearly bought experience that this course was perilous, the legislature in 1820 annulled these charters, and left the problem of banking where it was before. So grievous was the burden of debt that was caused by the collapse of speculations undertaken in the previous years that the legislature was forced to another wild scheme, which brought about one of the most singular and instructive political struggles that had ever been seen in an American State. The act in question provided for the organization of the Bank of the Commonwealth, with a capital stock of $2,000,000. There was a long and fierce debate before this charter was granted: on the one side were arrayed the few who by native insight rather than by reading perceived the true principles of money, — men like Christopher Greenup and the other clear-headed members of the Political Club of Danville; on the other side was the host of impetuous men who had been harder tried in their speculative combats with the impossible in finance than they ever had been in their struggle with the savages. They were ruined in pocket: they fancied that in some way the State could, without injustice to any man, make them whole again. If there was only a bank that would advance a little money on securities they deemed as safe as gold, all might be well.

History repeats itself more often in monetary than any other matters. It was now the innings of the soft money men. This Bank of the Commonwealth was allowed to issue notes, for which the holder could not claim specie payment. It was to have twelve trustees, and was allowed to put out $3,000,000 of circulating

paper. This paper was made a legal tender for all debts. The next step of the mad party that led in the legislature was to get possession of the excellent Bank of Kentucky, — the only sound banking establishment in the Commonwealth. The old directors of this institution were turned out, and their places taken by men who represented fiat money. The plan was to use the well earned credit of this bank to float the bills issued by the new "wild cat" enterprise. The result was to overthrow the credit of the only sound bank in the country.[1]

In the course of the year the paper of the new bank fell to a fraction of its face value. Creditors properly objected to payment in notes that represented no real value, and when their property was seized, appealed to the courts. Fortunately at that time the judiciary of the State, still appointed by the governor, and holding office during good behavior, was composed of able and trustworthy men. The effort to defeat the "will of the people" by process of law aroused an extraordinary excitement throughout the State. The mad-cap element, deprived of the profits of their majority, threatened the judges with ejection from their seats, and even personal violence, if they dared to decide against the constitutionality of the law. The first decision came from the

[1] It is worth while to notice that the legislature undertook to commend this ill-advised project to the people by devoting one half the profits of the Commonwealth Bank to what was known as the "Literary Fund." This money was to go for the purchase of books and philosophical apparatus and other betterments of the Transylvania University, Centre College, and to the Southern College of Kentucky. This appropriation came to nothing, but it is an interesting evidence of the desire for the increase of the usefulness of the State colleges, and the sense of what might best reconcile the conservative people to the new monetary scheme which they so stoutly opposed.

court of the Clarke County district. The sitting justice, Judge Clarke, decided that the clause in the act which gave a retrospective effect to the action of replevin was unconstitutional and void.

It is not worth while to go into the complicated technicalities of this decision. The essence of it was that the legislature had no power to take steps that in any way impaired the obligation of contracts, as it did by making the notes of the Commonwealth Bank a legal tender. As is often the case, the decision touched only a part of the laws that were in controversy, but it clearly showed how the courts would deal with the whole problem when it came fairly before them.

The State was already divided into two political parties, known as the relief and anti-relief parties. The former insisted that the will of the people should prevail in the passage of the laws for the relief of debtors; the latter, that these laws were inconsistent with the Federal Constitution, which forbids the passage of laws that impair the obligation of contracts. As usual, the more radical men won at the outset, the conservative element being slow to array itself in determined opposition to the overthrow of the organic law. The relief party had an overwhelming majority in the legislature, and the weak-minded Governor Adair was in sympathy with them. An extra session of the legislature was called, and the just and fearless judge, who had decided against the law, was cited before it in order that steps might be taken summarily to remove him. Judge Clarke made an able defense of his action, and there was enough reason left in this legislature to convince some of his antagonists and to make his removal impossible, at least while the Court of Appeals had the

question of his decision under hearing. In 1823 the Appellate Court consisted of three judges, — Boyle, chief justice, Mills and Owsley, associates, — all men of a strong type and unshakable by popular clamor. Disgraceful efforts were made to frighten them into a decision in favor of the relief party. It is infinitely to their credit that the judgment they rendered was a clear judicial verdict against the constitutionality of the law, on the ground that it violated the clause in the Constitution of the United States which forbids the States to impair the obligations of contracts.

Their decision was received by the relief party with a perfect tempest of rage. Efforts were at once made to remove the judges by act of the legislature. The election of 1824 was decided on this issue, and Governor Joseph Desha, the relief candidate, received 38,378 votes, and his opponent, Christopher Thompson, 22,499. This majority carried with it the control of both the senate and house, but not sufficiently complete power to enable the legislature to remove the offending justices by impeachment, which required a two third's vote. So an indirect means of accomplishing this end was devised. As soon as the legislature met a bill was brought in and speedily passed, to break up the Supreme Court, by repealing all the laws that gave it existence. Then another court, under the name of the Court of Appeals, was organized. The new places were immediately filled by men who were known and earnest supporters of the popular party. This revolutionary act unfortunately had the support of some of the ablest men in the State. William T. Barry, the chief justice of the new court, John Rowan, Joseph Desha, and others who were the leaders in the relief party, were

men otherwise apparently of high character and distinguished ability. Their conduct in this matter is only to be explained by the well-known difference that so often exists between the public and the private conduct of men.[1]

Fortunately for the State the justices of the old court were men of calm strength, who felt that when the subject was fairly presented to the people they would be supported. They did not accept this dismissal from their high office. They made a judicious and complete answer to the legislature in its effort to legislate them out of office, and when their offices were vacated by enactment they took the strong ground that as their court was created by the conditions of the Constitution of the Commonwealth, nothing less than the amendment of that instrument could remove them from their positions. Although they were deprived of their records, which were placed under a military guard that allowed only the new court to have access to them, they continued to sit and give judgments as before, leaving the final decision of the matter to the people. The minority of the legislature, though their protests against the illegal action of their colleagues were refused even a place on the records of both senate and house, took the question to the people. Then came a bloodless campaign, which for energy and bitterness has never been equaled in the history of the State, if ever among English speaking

[1] Space does not allow, nor perhaps would the reader be repaid, for the careful review of this interesting struggle. Those who are curious in such matters will find a full record of the debates outside of the legislature in the two weekly journals which were created as organs of the two parties, the *Patriot* and the *Spirit of '76*, published in Frankfort, Ky., during the trial of this momentous issue before the people.

peoples. Not even the elections immediately preceding the Civil War gave anything like the same fury to men's minds as did the struggle between the old and new court parties in the election of 1825. In the canvass of 1860 every one felt that there was a great elemental storm arising that might sweep the land to destruction. This subdued the fury of partisanship.

The election of 1825 had, in its principal question, one well suited to arouse the bitterest passions. On one side was arrayed the "people's party," — that large body of people who from the first had held to the notion that the will of the populace should be the supreme law. Something of these gross notions concerning the function of government was shown in the earlier history of the Commonwealth. We see them in the actions of the French party. They are marked in the frequent cases of insubordination among Kentucky troops. But now was the first time that this socialistic force was arrayed against the best interests of the State itself. The debate before the people was long and furious, but the next election showed that the heart of the Commonwealth was sound. They gave their hearty approval to the anti-relief party, electing sixty of old court men to thirty-five for the new court. Still the senate, which was only partly renewed by this election, disregarding the will of their constituents, which they pretended to take as their guide, refused to concur with the house in a bill to rescind the laws constituting the new court. The question was kept open until the next year, when the voters reaffirmed their decision in an election which so changed the senate that the two bodies were able to pass an act to annul this detestable legislation. In December, 1825, all the laws constituting the new court

were repealed, thus ending a contest that brought the Commonwealth in the face of the gravest problems of public morals.

During this long struggle the Commonwealth was continually on the verge of a civil war. The whole machinery of law was out of joint; no legal steps could be taken with any certainty that the action was properly brought. The records of the Supreme Court were in the possession of the newly constituted Court of Appeals, and were under military guard, and the governor was in complete sympathy with the new court party. The good judgment of the people, together with the dignity and patience of the court, enabled the State to avoid the worst consequences of this great error, — to give it no graver name. The act of 1824, repealing the laws constituting the new court, was passed over the governor's veto, so that the end was attained against the resistance of the magistrate, who had sworn to defend the Constitution that gave him his authority.

This struggle between the parties of old and new courts had certain very important effects upon the political life of the Commonwealth. For the first time it brought the motives of the radical element of the population clearly into view, and arrayed against them the conservative and law-abiding element of the people. The question before the court, and in its legal aspect, turned upon the clause of the Federal Constitution that forbade the impairment of contracts, though the immediate victory was gained on other and more special legal grounds. But there was a nearer and simpler question, one of honesty in the management of public affairs, which was the part debated before the people and on which they gave their decision in an unmistakable way.

We may fairly regard this debate as a turning-point in the politics of the State. The election which gave the relief party its overwhelming majority in the legislature of 1824, and elected Desha by a vote of thirty-eight thousand to twenty-two thousand for his opponent, represents the uninformed and rash state of public opinion. The reversal of this vote in the following year shows an extraordinary revolution of sentiment. It shows a moral awakening which was full of promise, and one that time has justified. From this time onwards the State has always inclined to conservative ways. In its end the controversy between the old and new courts was very wholesome, since it showed the people the way in which grave dangers lay. That the people of the Commonwealth met the emergency in a manly fashion, promptly reconsidering their first hasty steps when they had a chance to see whereto they led, and in the end found a position on firm ground, is a matter of satisfaction to all who hold the name of Kentucky dear.

When the final overthrow of the new court came it was acquiesced in by both parties, though with the natural inertia of politics for some time the party lines stood near where they had been placed by this conflict. With apparent satisfaction the people turned their attention from their local affairs to the larger field of national questions. There was a matter which had been in abeyance during the old and new court conflict that was ready for use. In 1825 the election for President having been thrown into the House of Representatives, Clay, then a member from the Ashland district, had cast his vote for Adams. It was fit that he should have done so, for Adams fairly represented the party

with which he had acted for many years. The radical element of Kentucky and elsewhere chose to take this vote in high dudgeon. There was then, and for a long time afterwards, a great dislike to New England, and especially to Massachusetts, among the extremists of Kentucky. This was, in the beginning, due to the fact that the New England States opposed the admission of Kentucky to the Federal Union; even those who did not desire to have that union effected were naturally offended by this resistance. To this original cause of hatred was added the anti-slavery propaganda which came from that region, as well as the severe answer that Massachusetts had made to the invitation sent her by the young Commonwealth to concur in the resolutions of 1798.

Clay and the cause of Adams, in the approaching Federal election, were espoused by the old court party, then known as the National Republican party. Jackson was the candidate of the new court party, then known as the Democratic Republicans. In the State election of 1825 it was evident that Adams was a burden that even the strength of the old court party could not carry, for, although this party elected Metcalf, their candidate as governor, Jackson carried the State in November by a majority of eight thousand. This vote for Jackson should not be regarded as representing the true position of the parties at this time. It is well known that Adams had incurred a great burden of unpopularity throughout the United States, as is shown by his overwhelming defeat in the other States, while Jackson represented the greatest victory that had ever been won by the national troops, an action in which nearly one third of his men were Kentuckians. The people

had forgiven him his unjust criticism of their soldiers, for which he in a fashion apologized, and only remembered his really noble and soldierly qualities. The wonder is that, under the circumstances, Jackson's majority was so small. The vote stood for Jackson, 39,394; for Adams, 31,460.

The defeat of Adams was a severe blow to Henry Clay, and for a time promised to make an end of his political life, but this fascinating and pliant man soon recovered his place among his people. Jackson's course as President, though not to the satisfaction of the more conservative element, pleased the mass of the people. For two years this approval was marked by the ascendancy of the Democrats. Even in 1832 this party succeeded in electing their governor by a slender majority. But the nomination of Clay as a candidate of the National Republican or Whig party, to contest a second election with Jackson, finally determined the political complexion of Kentucky. The people were in a state of wild enthusiasm for their illustrious citizen, and in the November election the poll stood: Clay, 43,614; Jackson, 36,290.

On the national arena Jackson defeated Clay by a large majority, but the Kentuckian was now master of his own Commonwealth, and long ruled it wisely. Although his place in national statesmanship may be questioned, though it may be shown that his advocacy of a tariff and of the Missouri Compromise were not founded on sound principles of statesmanship, there can be no question that within the limits of Kentucky his influence was beneficial beyond that of any other citizen. With little academic instruction, he was a man of a really wide culture. His conservatism was not a narrow kind,

but came from a keen sense of the value of deliberateness and fidelity in all public actions. We cannot in this brief sketch trace his influence on Kentucky life, nor even give the outlines of his work; but it should be remembered that while he was never keenly interested in State politics, and there is no important State legislation that can be regarded as his work, yet in founding and strengthening the conservative spirit that began to come with the greater wealth and culture of the State, he assuredly did a very great work. From the time of his local victory over Jackson to the present day, the conservative element of Kentucky, — the party that takes the tasks of government deliberately and philosophically, that debates, before acting and after acting, the questions of public duty as they should be considered, — has never lost its hold upon the State. Parties have changed names, political issues have come and gone, but the conservative power that came from the bank question, and was affirmed by Clay, still holds the old Commonwealth with a firm hold.[1]

The course of Jackson in reference to the national bank soon brought the Kentuckians back again to their local needs. The winding-up of the Commonwealth Bank was skillfully managed. The legislature arranged for the calling in and the cancellation of its outstanding paper, so that the indecent neglect of the public rights, shown in its founding, gave place to a commendable honesty in its finish.

The notes of the United States Bank were now the

[1] I shall hereafter discuss the present position of parties in Kentucky, and believe that I shall show that the present so-called Democratic party of Kentucky is essentially the conservative party much as it was left by Clay.

principal circulating medium of Kentucky. They served their purpose well until Jackson began his assaults on the bank. When it fell before the furious campaign which Jackson waged against it, the State legislature endeavored to replace its paper by creating three banks, known as the Bank of Kentucky, the Bank of Louisville, and the Northern Bank of Kentucky, the first being the reconstitution of a bank that had long existed; these banks had a total capital of ten million of dollars.

If Jackson had been defeated at New Orleans, his ruin could not have done the country as much damage as his repeal of the charter of the United States Bank, without any provision for its replacement in the system of American commerce. The immediate result was a general return to the "wild cat" money of ten years before; banks started up at every cross-roads' town; every speculative person found banks to lend him money, for the more of the paper that these institutions could set afloat the larger would be the measure of their profits. The Kentucky banks were far more provident than those of the neighboring States, but they could not resist the tide of fraudulency that came in the train of this wild speculation. The commerce of Kentucky was now involved with that of half a dozen other communities, which were of a much less conservative humor in the management of the banking question. The bubble of speculation was soon blown up to the bursting point, and in 1837 all the banks of the United States were, by the resulting collapse, forced into a suspension of payments.

Despite the hard lessons of the preceding decade, Kentucky had been led into the full tide of speculation

which affected not only individuals but the State itself. The legislature had undertaken a vast system of public improvements on its own credit. It was at work on a costly system of canalizing the principal rivers, whose whole water system lies in the State; the Kentucky, the Green, and the Licking were to be provided with locks and dams, so that they might be navigated from the Ohio to their head-waters. A great series of turnpikes also received the aid of the State. These improvements were well conceived. The State was suffering under a grievous want of ways of communication. Its centres of population and of industry were far from the Ohio, then the only great pathway of commerce. The clayey character of the soil in all the fertile districts made unmacadamized roads impassable to any heavy traffic during half the year. The State had shown commendable enterprise in dealing with this cardinal difficulty of its civilization. It was a great misfortune that the effort was made in a period of such monetary uncertainty. But the very stimulus to enterprise that led to the undertaking of these improvements was due to the speculation that caused commercial disaster.

The financial hurricane of 1837 produced a universal and enduring distress in Kentucky. Nearly every business man in the State, and very many of the farmers, were rendered bankrupt or burdened by debt to the point of virtual insolvency. In this time of trial the people showed the profit of the lessons of the preceding ten years. There was a general effort to mitigate the evils by mutual help rather than by legislation. The State refused to forfeit the charters of the suspended banks, or to compel them to resume specie pay-

ments. The brief breathing time of 1838, when for a few months the banks tried to resume payment, revived the hopes of the people; but the burden of unliquidated debt rested too heavily on them for an enduring revival of business, so that the banks were compelled again to suspend their proper functions. The years 1840, 1841, and 1842 were the most hopeless that this people have ever known. Not even the shadowed days of the Civil War brought such despair to their firesides. War brings the light of action and expectation, with its swift movements, that is wanting in a time of universal bankruptcies.

It is not surprising that this time of trial led to a revival of the "relief party," which grew rapidly to formidable dimensions. But the conservative element was bold, and readily met their schemes. The legislature refused to take any unreasonable steps. The most they did was to modify the system of the courts, so as to give the creditor a little more time in which to meet the actions brought against him. Gradually, through infinite suffering that is recorded in the long dockets of the courts and the cloud of judgments that fell upon all forms of property, the people won their way back to commercial prosperity.

This episode closes the remarkable events in the history of the financial development of the State. From this time on the Commonwealth's banks were singularly sound and efficient institutions. They were commonly domestic in their system; they trusted for their strength to a mixture of control exercised by the State through its ownership of stock and the citizen stockholders.[1]

[1] In many ways these banks were singularly domestic institutions. Custom required the cashier to reside in the bank building, so that

They gave to the people a better currency than existed in any State west of the mountains. Even in the trial of the Civil War they stood, as they still stand, unbroken. Their strength is so great that although their currency has been destroyed by the laws of the United States, they remain the mainstays of the business of the Kentucky people outside of one or two of the larger cities.

It will be worth the reader's while to follow this peculiar history of Kentucky banking beyond the limits of this sketch. I know no other case in the history of these American States where the problem of an exchange system has been so beautifully shown in all its various workings. In the first period of the State's history we had a long time in which the industry was carried on in the main by barter. Then came the period when the Spanish currency of the dollar was the mainstay of commerce. It is likely that the singular philo-Spanish party got some of its influence from the use of this currency. A sense of kinship comes with a common money. Relations with Spain that now seem so impracticable, probably looked more natural to a people who used Spanish money in the most of their transactions. When the want of small money became great, as it did about the beginning of the century, the need was met by cutting the Spanish dollar into four or eight parts, called "quarters" or "bits." These angular fragments of "cut money" passed current for thirty years or so, and were the subject of several legislative

the bank affairs were in a way a part of the household of its executive arrangements. It may be that this domestication of the bank aided in part to secure the peculiar honesty that marked their administration.

enactments. This plan of dividing coins into segments was a singular if not unique device, and long served a good purpose.

When the commerce of this people came to the point where a better system of money became necessary, we find them learning the hard lesson of banking by the dear way of experience, and profiting by that experience in a singularly immediate fashion. Moreover, the advance of the Kentuckians in the methods of government can, to a great degree, be attributed to the complete discussion of the principle of public faith that they had then to decide in the matter of the Commonwealth Bank and the new court questions. It is impossible in this place to do more than furnish an outline of this extremely interesting chapter in commercial history, but it will be well for some student of political economy to give especial attention to the instructive series of events. In no other American State can the money problem be found in such a good position for study. The careful student will there find a wonderful catalogue of monetary expedients.

From their trials in business the people more than once turned, with their usual eagerness, to the questions of national politics. The wide habit of thought bred in their early wrestle with national problems, such as the first forty years of the life of the Commonwealth opened to them, made such matters always of paramount interest.

The Harrison presidential campaign of 1840 was decided, as was the first Jackson campaign, on the memories of the War of 1812. Van Buren received 32,616, while Harrison's vote was 58,489, a majority of nearly two to one, — and this despite the fact that Richard M.

Johnson, the candidate for Vice-President with Van Buren, was a Kentuckian of Kentuckians, the man who, it was believed, had killed the great Tecumseh in the battle of the Thames, and who had otherwise deserved well of his country. The Whig vote was doubtless reduced by the popularity of this illustrious citizen.

In 1844 Clay was the Whig candidate for the Presidency. Although he was supported by his party with a singular ardor, his majority in the State was only about nine thousand, a great falling off from the majority given to Harrison four years before. This marks a peculiar set of politics in Kentucky, which we must now explain.

In this election the Democratic party represented the project for the annexation of Texas, which now was becoming a burning question in American politics. The attempt which Texas was then making for independence of Mexico claimed and gained the keenest sympathy from Kentucky. Many of the leaders in that remarkable conflict were from this Commonwealth, and they all represented the motives of that western life which, in time of trial, knows no State bounds.[1] There have been few incidents in American history so calculated to interest the Kentucky people. The struggle was romantic in its object and in its details. For years the Kentucky people had been deprived of all share in the excitement of war. War for political objects has always had an absorbing interest to a people who have the outgoing type of mind combined with rude vigor. Moreover, the growing interest in the slavery problem led

[1] Many hundred of the soldiers of the Texan army were from Kentucky. General Albert Sydney Johnston, General Felix Huston, and many other distinguished officers were her sons.

many strong advocates of that institution to desire an extension of territory in the Southwest, into which the slave population might find its way. These influences led many persons temporarily to detach themselves from the old Whig or conservative party, and to join the side that advocated aiding Texas in her conflict with Mexico, or her admission into the United States. The same influences acted throughout the Union, but with more energy in Kentucky than elsewhere, because the force of sympathy with the Texan cause was stronger than in any other Whig State. Nothing else could show so well the gain in the conservatism in Kentucky as the fact that, despite all these natural incentives to sympathy with Texas, the State was held by a majority of over nine thousand in resistance to the project of a war with Mexico. The basis of Clay's opposition to the annexation of Texas was in the very tendency to the extension of slavery that this annexation would bring about. A majority of the people of Kentucky were no longer friendly to the extension of slavery, though they were even more heartily opposed to the abolition party.

The defeat of Clay was the final blow to his long deferred hopes of occupying the chair of the President at Washington. He still remained the foremost figure of Kentucky politics, but his influence even there ends with this defeat. This failure of their candidate was the more exasperating because treachery in New York determined the issue against him. The nation at large abandoned the cautious policy that strangely enough had come to be the motive of Kentucky, which in the preceding generation was the most radical State in the Union. Had it been left to Kentucky, despite her natural sympathy with Texas and the pro-slavery South,

there would probably have been no annexation of new territory for many years, and slavery might have been hemmed within its old bounds.

We leave the discussion of the events of the Mexican War to the next chapter, and turn back to consider the condition of the institution of slavery during this middle period of the State's history. The tables in the Appendix will give the reader a synopsis of the increase in the African element of the population in the successive decades since the first census. It will easily be seen that the first settlers of Kentucky, though they came from slave-holding colonies, brought few negroes into the State. As soon as the pioneer life began to give place to a commercial activity, and men took to planting for profit and not for subsistence, the negro population rapidly increased. From 1790 to 1840 there was a rapid gain of the African element of the population represented in per cents. at the several decades as follows. The upper line gives the per cent. of increase in the preceding decade in the black, the lower in the white, population.

	1800.	1810.	1820.	1830.	1840.	1850.	1860.	1870.
Slaves	224	99	57	20 1-3	10 1-3	15 2-3	7	—6
Whites	200	84	36	22	13 1-3	26	17	14

Thus the African race increased more rapidly than the white up to 1830. In 1840 the white population shows a notable increase over the black. This gain is more marked in 1850, it is extended in 1860, and in 1870 the black population shows an absolute decrease. In a small way this actual decrease in 1870 may be due to the emigration of the negroes during the war, but it will be noticed that it very nearly agrees with the series of changes belonging to the earlier decades. This will

be more apparent to the reader from a consultation of the tables in the Appendix, where also the notable total increase of the blacks is shown. We may say that this decrease would have come about in the natural succession of changes, even if the war had not been fought or emancipation established. There is great difficulty in analyzing the history of slavery in Kentucky. There are no sufficient records on which to base the study of the problem. In the following statement the writer has had to rely on his long personal knowledge of the Commonwealth and on fair opportunities for insight into its motives.

In the first place the reader should observe that only a small part of the Commonwealth is fit for anything like plantation life. The greater part of the area requires the thrift and personal care of the owner to make its cultivation remunerative. Even that part of the land of Kentucky that may be used for tillage in a large way is decidedly more profitable in the hands of farmers who cultivate small areas. Next, it should be noticed that the whole system of Kentucky life fell from the first into something essentially like the yeomanry system of England. The land came into the hands of small landholders, who in the main worked with their own hands. Each year increased this element of the State at the expense of the large properties. The principle of primogeniture, which in Virginia outlasted the laws that supported it, never gained a place in Kentucky. The result was that each generation saw the lands more completely divided, and the area fit for slave labor became constantly less occupied by large farmers. There was also in this yeoman class, as well as among the more educated men of fortune, a growing discontent

with the whole system of slave labor. Nor was this dislike to slavery based on economic considerations alone. Already, in the first decades of Kentucky life, there was a strong protest from many religious people against the system. When Clay, about 1798, began to be a power in the land, his plan of emancipation, with or without colonization, became an article of faith with his party, and was held by the larger part of the conservative people. There came to be a prejudice against all forms of commerce in slaves. This notion came to its height in the decade between 1830 and 1840, and is probably responsible for a part of the rapid relative decrease of slaves within those years. From the local histories the deliberate student will easily become convinced that if there had been no external pressure against slavery at this time there would still have been a progressive elimination of the slave element from the population by emancipation on the soil, by the sale of the slaves to the planters of the Southern States, and by their colonization in foreign parts.

In the decade from 1840 to 1850 the activity of the abolition party in the North became very great; all along the Ohio River there were stations for the rescuing of slaves and conveying them to safe places beyond the border. The number of negroes who escaped in this way was small, — it probably did not average more than one hundred a year, but the effect upon the state of mind of the people was very great. The truth is, the negroes in Kentucky were not generally suffering from any bonds that weighed heavily upon them. Slavery in Kentucky was of the domestic sort; that is, it was to the most of their race not a grievous burden to bear. This is well shown by the fact that thousands of them

quietly remained with their masters in the counties along the Ohio River, when in any night they might have escaped across the border. Their state was such that if they had one and all been given six months to wander, and at the same time a choice of returning to their old homes, at least three quarters would, at the end of this time, have been found again under the yoke in their old places of abode. Still this underground railway system, although it did not free many slaves, profoundly irritated the minds of their owners, and even of the class that did not own slaves.

Accompanied as was this work of rescuing slaves by a violent abuse of slaveholding, it destroyed in good part the desire to be rid of the institution which had grown on the soil, and gave place to a natural though unreasonable determination to cling to the system against all foreign interference. More than all, it roused anew the hatred of New England, which had well-nigh disappeared in the growing conservatism of the people. John Quincy Adams's visit to Kentucky, and his noble defense of Clay, had at one time made an end of this old rancor, at least among the conservative Kentuckians. This visit of ex-President Adams was in 1844. His speech in Maysville, in answer to the welcome of General Richard Collins, deserves quotation here. General Collins said that Mr. Adams "has placed Kentucky under deep and lasting obligations for his noble defense of her great statesman, Henry Clay, in his letter to the Whigs of New Jersey," to which Mr. Adams replied: "I thank you, sir, for the opportunity you have given me of speaking of the great statesman who was connected with me in the administration of the general government, at my earnest solicitation — who belongs

not to Kentucky alone, but to the whole Union, and is not only an honor to his State and the nation, but to mankind. The charges to which you refer, though after my term of service had expired and it was proper for me to speak, I denied before the whole country, and I here reiterate and reaffirm that denial; and as I expect shortly to appear before my God, to answer for the conduct of my whole life, should these charges have found their way to the throne of eternal justice, I will in the presence of Omnipotence pronounce them false." [1]

From 1840 to 1860 the progress of thought in Kentucky probably increased the number of actual abolitionists at a rapid rate, but it diminished the number of those who desired to see some deliberate and legal solution of the appalling difficulty. This separation of the two parties was unfortunate but natural. Thus the election of Polk may be taken as a critical point in the history of slavery within the State. After that, the emancipation party lost much ground that was only in small part gained by the abolitionists.

[1] See Collins, i. p. 50.

CHAPTER XIV.

FROM THE BEGINNING OF THE MEXICAN WAR TO THE BEGINNING OF THE REBELLION.

THE Mexican War, with its long prelude in the varying scenes of the Texas struggle, had a great interest for the people of Kentucky; it brought back the memories of their own long combat in the first forty years of their State life, much of which was still in the memory of the older men. The leaders in this Texas struggle were men of heroic mould. Houston, Crockett, and Johnston still command our sympathy, and in that day they held a large place in the hearts of the western people. Nothing so well shows the singular strength of the conservative party in Kentucky as the fact that after years of excitement they still held the State by an overwhelming majority, and cast their votes against the whole project of southern extension of the national territory. Though not in direct terms a vote against the extension of the area of slavery, the election of 1844 was in fact a vote of this nature. This political position could be made plain did space permit us to make a careful analysis of the motives of the time. But the action speaks for itself.

The resolutions for the annexation of Texas were passed in February, 1845, but it was not until the 8th of May, 1846, that the battle of Palo Alto brought about the condition of war between the United States

and Mexico. Kentucky was called on for a contingent of twenty-four hundred men. Ten thousand men at once were ready for the war, so that it became a struggle for the chance of service. The force first sent out consisted of the Louisville Legion, an independent company under the command of John S. Williams, of Clarke County; the second regiment of infantry under the command of Colonel W. R. McKee, of Lexington, with Lieutenant-Colonel Henry Clay, Jr., second in command; and the first regiment of cavalry, under command of Colonel Humphrey Marshall.

Three of the leading officers who were to take charge of the operations of the war were chosen from citizens of Kentucky. Zachary Taylor, major-general of the regular army; William O. Butler, of Carroll County, major-general of volunteers; and Thomas Marshall, of Lewis County, brigadier-general of volunteers.

In this brief story it will only be possible to consider the doings of the Kentucky troops during the Mexican War, in so far as a history of that war will throw light on the character of the men of the time, together with so much of the actions of particular men as will show the training which in their youth fitted them for their more important services in the Civil War. Many of these soldiers of the Mexican War reappear in the subsequent civil history of the State, and a number of them remained to take a prominent part in the Federal and the Confederate armies. Their experience and reputation acquired in this foreign war did much to give them leadership. When we come to consider the steps that led to the Civil War, and the conduct of its campaigns, we shall constantly have to trace the important influence of these men.

So long a time had elapsed since the population of Kentucky had been engaged in warfare, that there were few of the volunteers for the war with Mexico, officers or men, who had ever looked upon a line of battle. The long peace had brought the militia into the contempt into which a citizen soldier unfortunately always falls as soon as the time of need is past. There was probably no State in the Union where the neglect of the military art was at this time so complete. The militia consisted of extensive paper lists, and a few small, half-drilled companies, unfamiliar with the evolutions of the battalion, and without the discipline that converts the citizen into the soldier. There remained from the military life of the old days but two elements of great value to the soldier, — an instinctive as well as a trained ability in the use of fire-arms, and a strong combative spirit. On these foundations, with such vigorous bodies as this soil breeds, the judicious disciplinarian can soon build the soldier.

The United States troops were to act against a people who possessed a large share of the qualities of the good soldier. The Mexicans were hardy, brave, and patient; they were well trained in the simpler part of the art of war, their frequent internal struggles having given them recent and extensive experience in military affairs. They furnished an excellent opportunity to test the quality of the Kentucky militia after their long desuetude of arms.

The first noticeable fact brought out by the Mexican War is that these Kentucky troops showed little of the rebellious spirit, or the unwillingness to endure hardships and submit to command, that marked their ancestors in the War of 1812. The long training in civic life

had finally subjugated the savage impulse of insubordination that was the opprobrium of the pioneer soldier. Except for a little "larking," the troops went through the trying preliminary work of changing from citizens to soldiers in a very quiet way. Though abundant time was afforded for the work, there was no effort to give these forces a good camp training before they went into service. Their officers were incompetent for this work.

The first campaign of the Mexican War was far advanced before the troops of the Commonwealth came to the front. The first engagement involving any Kentucky troops was the assault on Monterey. In this action the Louisville Legion had a subordinate place; they garrisoned a mortar battery, where they were put to the severest trial that can befall new troops, being exposed for nearly twenty-four hours to an artillery fire, to which they could make no reply. In this action General Butler was severely wounded, and Major Philipe N. Barbour of the regular army, a native of Kentucky, was killed. Although there is nothing picturesque in this action of the Louisville Legion, it is important as showing a willingness to endure fire without resistance, which is most praiseworthy in new soldiers.

The next considerable action, in fact the only one of the Mexican War that was largely shared in by the Kentucky troops, was the battle of Buena Vista. In this action General Taylor had 4,759 men, of whom about 900, or nearly one fifth, were Kentuckians. His loss in killed and wounded amounted to 723 men, of whom 162 were Kentuckians. Thus the Kentucky troops lost considerably more, in proportion to their numbers, than did the army considered as a whole.

The importance of the battle of Buena Vista as a test of the Kentucky troops warrants us in taking the space necessary to discuss the more important details of its history. Next after the battle of New Orleans, it was to Kentuckians a gauge of valor as a standard of what men could do under the press of superior numbers through a long and desperate fight which often seemed hopeless to the stoutest hearts; in this way it served in later times to affect the military conduct of Kentuckians in other fields of battle.

The circumstances that led to the battle of Buena Vista were peculiar. General Taylor found himself, after the capture of Monterey, with far too few troops to venture on the further prosecution of his campaign. He had parted with the greater portion of his regular battalions, which were taken by General Scott, the commander-in-chief, for his expedition designed to penetrate to the City of Mexico by way of Vera Cruz. It was necessary for Taylor to hold Monterey and Saltillo, in order to give any protection whatever to his lines of communication. His force was deemed sufficient for this duty of holding what had been gained by the capture of these strongholds. By holding these places he could avert the danger of a sudden invasion of Texas while the blow to be delivered by Scott was preparing. It clearly was not expected that Taylor should either take the offensive, or that he would have to struggle with any large body of the enemy. This, as it turned out, was a rash miscalculation of the force and soldierly sense of the enemy. No sooner had Taylor's troops been depleted by the removal of his veteran regiments, than Santa Anna prepared to overwhelm this Federal army with a force of four or five times their numbers,

before Scott's column could get into position to assail him. Leaving garrisons in Monterey and Saltillo, Taylor wisely resolved to gain some ground to the south on which to find a suitable place to meet the attack which he had reason to expect. Once penned within his forts, he would soon be compelled to surrender.

A few miles south of Saltillo, the only practicable way of approach to it from the southward is by passes through the Sierra Nevada Mountains; the road lies in a valley two to three miles wide, in which stands the Hacienda of Buena Vista. At a place called Angostura, or the straightened pass, which is two or three miles yet further south, the space between the mountains is narrowed to a width of about a mile. Observing the advantages of this excellent position, Taylor pushed his force a few miles further on, where he could have a camping ground and a good water supply. He also shrewdly remarked, that if he should fall back to this chosen position at Buena Vista, the impetuosity of the Mexicans in following up his retreat would be more likely to lead them to attack him there than if they found him in that position. This acumen was characteristic of that admirable soldier.

While at his more advanced position of Agua Neuva, diligent effort was made by Taylor to ascertain the place and strength of Santa Anna's army, but the Mexicans were possessed of an abundant and highly efficient cavalry, by which they so clouded their main force that nothing certain was known of the enemy's numbers or intentions. A reconnaissance of the celebrated Ben McCullough, afterwards a famous Confederate general, brought the news that the enemy were in great force, and not far away. On the evening of February 21, Taylor de-

camped and made ready to take up his position in the defile of Angostura, on ground that had been carefully prepared by proper study for his action.[1] Still he did not march from his comfortable camp until McCullough himself confirmed the tale that his scouts had brought in; only then Taylor marched for the position where he meant to have his fight. When this position was taken he sent a detachment of cavalry to reconnoitre for the enemy to the southward. They were scarcely out of camp on the morning of the 22d, when they ran upon the advance of Santa Anna's troops, already within a mile of the more advanced posts of the Federal camp.

Santa Anna had taken up his line of march almost at the moment when McCullough left his post, expecting to make a night attack on Taylor's army in its position at Agua Neuva. Finding that Taylor had retreated, he pushed on, driving before him the mule teams and the other laggards of the army. These fleeing trains should have been a timely warning to General Wool, who commanded the outlying posts of the little army; but the stampede, if it was noticed, was not acted on, and so the army was put in the utmost risk of an attack before the necessary final preparations for the combat had been made. In place of pressing on in their attack, the Mexicans, finding the United States forces in a strong position, and not knowing how they had surprised their enemy, halted and gave them time to form. They, too, had not expected a battle at this point; their fair presumption was that Taylor had

[1] See articles in *Old and New* for June and July, 1871, entitled "Recollections of Mexico and the Battle of Buena Vista," probably from the pen of the late General H. W. Benham.

fallen back to Saltillo, where he had some fortifications and a considerable garrison. Moreover, the ground on which they found they had to give battle demanded a very peculiar disposition of troops, which required time to make.

The slopes which extended from the flanks of the parallel mountains to the central part of the pass were cut up by numerous deep gulches, which were worn out by torrents in the short rainy season, but were now quite without water. This made a formation in line of battle very difficult. The Mexican troops were at the end of a long and fatiguing march, for, besides the thirty or more miles which they had made to the point where they expected to find Taylor, they had rapidly marched fifteen miles further before they beat up his quarters. They did well as soldiers to rest before they gave battle.[1]

The American troops were in excellent heart; their only difficulty was that the great height of the position (6,000 feet) made them breathless under exertion. The troops of the enemy were carefully reconnoitred. There were actually about six thousand cavalry and about nineteen thousand of the other arms, but the reports of McCullough led to even higher estimates on the part of the Federal commanders. The greatest disadvantage to the United States troops, if it is worth while to count disadvantages where the numbers were so overwhelming against the defense, was in the cavalry, for that of Taylor was ill disciplined and generally mounted on mules. Although the mule is a soldierly beast he does not

[1] The following general account of the movements of the troops in this action is mainly taken from the articles by General Benham in *Old and New*, *vide supra*.

make a good war horse. The disposition of the ground fortunately made the excellent Mexican cavalry of little effective value. Their superiority in artillery was of more importance. In guns they at least twice outnumbered the Americans, and they were of much heavier calibre and were well served.

On the first day the only attack of importance came late in the afternoon, when a division of Mexicans endeavored, by climbing the ridges on the left flank of the Americans, to get a flanking fire on their lines. As is well known, a down hill fire of infantry is worthless, while a fire up a slope is singularly effective; so, after losing about five hundred men, killed and wounded, to half a dozen wounded of the Americans, this effort was abandoned. In the evening Santa Anna summoned Taylor to surrender; his answer was, "I have the honor respectfully to decline your proposition."

On the morning of the 23d a little effort was made to entrench one of the batteries, but the modern art of creating fortifications on a line of battle was then unknown, and these defenses were of little value. The time was spent in patient expectation of the storm that the morrow was to bring.

The first event on the second day was an effort of the infantry columns against the centre of the American line. This charge was led by the gallant Santa Anna in person. The accurate fire of Washington's battery broke it at the distance of five hundred yards of the line without any aid of musketry. Santa Anna's horse was killed under him in this charge, and several hundred of his men put *hors de combat*. This signal repulse gave the battle a pause of some hours.[1] At this

[1] At this point in the action came the daring reconnaissance of a

time Taylor came upon the ground, having been preparing for the defense of Saltillo in case he met defeat in the pass of Angostura.

The character of the ground was such as to make a continuous line of battle attack from the enemy impossible. The Mexican movements were reduced to a succession of isolated charges. Short as was the distance from steep to steep across the valley, it was not possible, and fortunately not necessary, for Taylor completely to occupy it with the scant force at his disposition. Fortunately the ragged ground admitted of another disposition than a continuous line of battle, which could not have been maintained by Taylor's force for an hour. The several gulches and ridges served as natural lines of defense, behind which the concealed troops could be shifted from time to time to meet the successive attacks without being under the fire of the enemy.

These successive charges at last succeeded in breaking the centre of the American line, where the 2d Indiana gave way. The regiment was brave enough, but the colonel who was supporting O'Bryan's battery, mistaking the order to "limber up" for an advance as a movement of retreat, ordered his men to fall back. This movement was at first made in a soldierly way, but the men being raw and undisciplined, their retreat soon passed into a rout, and they were not reformed during the action.

In the afternoon a large force of Mexican cavalry succeeded in making their way around the flank of the American line, and threatened an attack on its rear. This was met by a brilliant charge of cavalry, under the

solitary Mexican officer, which well shows the valor of their soldiers Benham, p. 14.

command of Colonel Yell, of Arkansas, and by Colonel Jeff Davis's Mississippi regiment. The Kentucky cavalry sent some men into this combat, but it did not act as a body, their colonel, Marshall, refusing to move; but portions of the companies without orders took part in the charge. This failure of Marshall to act in this moment of need is severely criticised by Benham, who was there as staff officer with General Wool. It is explained by the fact that Marshall had been placed as a guard over the stores and trains at the ranch of Buena Vista. Moreover, his men were badly mounted, and worse armed. Humphrey Marshall was a dull, inert man in action, but absolutely free from the vice of cowardice. The famous Confederate general, John H. Morgan, was a subaltern in this regiment.

At noon the action was interrupted by a severe storm of rain and hail. After it had ceased Taylor made an effort to break, by a charge, the Mexican line, which seemed to him open to assault. Wood's and Burnett's Illinois regiments and McKee's Kentucky regiment, in all about fifteen hundred men, or nearly half his available force, were sent forward.

In their advance in open echelon order, this force came suddenly upon a deep ravine, from which an unperceived force of about six thousand of the enemy emerged in a counter charge. The American line was rapidly broken and forced back. In this fierce action Colonel McKee and Lieutenant-Colonel Clay were both killed. Their men made a gallant effort to bear them off the field, but the rescuing parties were all slain. O'Bryan's pieces, which had advanced to support the charge, were all taken. At this critical moment the pieces under the command of Sherman and Bragg

opened an admirable cross-fire on the advancing columns of the enemy, which were compelled to move in close order by the shape of the ground, and drove them back with great slaughter. The loss of Taylor's army in this disastrous movement was the most serious of the day. If it had been followed up with vigor the Mexicans could have overwhelmed the shattered remnants of the American army. But the enemy were in no shape to take further action. None of their movements were sufficiently successful to give them heart; their commissariat was bad, and their men in dire want of food and rest. Therefore, though they had won a substantial victory if they could have made avail of their successes, they abandoned the field during the night, and hastened with the shattered remnants of their army to reënforce the troops that were gathering to resist the impending advance of Scott by way of Vera Cruz. Santa Anna judged correctly that Taylor's force was not likely to be of further trouble to him, and did the best that could have been done under the circumstances that surrounded him.

With the exception of Colonel Marshall, whose conduct may perhaps be considered open to some criticism, the behavior of the Kentucky troops was good.[1] Their loss was proportionately considerably greater than that of the whole command, and they remained in as good

[1] Benham's criticism on Marshall's conduct is very severe. He states that Marshall refused to obey the orders of General Taylor, and kept himself out of the fight. The testimony of other observers, who had a chance to know the facts, is, that Marshall was charged with the protection of the trains in the rear of the army, and that he did his duty in his appointed task. Moreover, General Benham had among his brother soldiers the reputation of being a bitter and careless critic.

heart as any part of Taylor's shattered army. They have an even share in the credit that this action gave to the American volunteer. This battle proved that American militia, properly commanded, could sustain a long series of attacks from overwhelming numbers without becoming demoralized by the many well delivered blows, each of which struck their lines. Every credit should, however, be given to the admirable regular artillery of the army, the batteries of Bragg, O'Bryan, Washington, and Sherman, which repeatedly served to turn the tide of defeat when it seemed to be fatally strong.

The only other Kentucky troops that were engaged in any severe action during the Mexican War was the independent company of Captain Williams, — in later days a general in the Confederate army, and now a senator from Kentucky. This company was with Scott's army, and took a very meritorious part in the actions of his campaign. Under its valiant leader it was engaged in the assault of Cerro Gordo. Under the general command of Colonel Haskell it there took part in the most brilliant charge of the war. Nothing could have been better than its behavior. Some other regiments of Kentucky troops were raised for this war, but its unexpected termination deprived them of a chance to show their qualities.

The interest of the Kentucky people in the Mexican War was intense. The affection for the memory of its dead is marked by a peculiar circumstance. Some time before the Commonwealth had instituted a State burial place on the hills above the capitol at Frankfort, and honored some of its dead heroes with interment there. This tribute was extended to the dead of the Mexican War. Their remains were brought from

the distant battle-fields and committed to this garner of heroic dust. Since that day it has been the custom of the State to beg from the kindred of those who have died in the service of their country the privilege of giving this distinction to their bodies. Thus in the process of time there have been gathered into this cemetery the remains of a multitude of distinguished men who have served the State, not only on battle-fields but in every walk of life in which men could gain honorable fame.

The sympathy with the heroic aspects of the Mexican War did not in the least change the political conditions of the Commonwealth. In August, 1847, the elections for the State legislature resulted in the choice of twenty-seven Whigs to eleven Democrats for the senate, and of fifty-nine Whigs to forty-one Democrats in the house. In the next year General Taylor, the Whig candidate for the Presidency, had a majority of 17,524. Thus even the excitement of a popular war was not sufficient to diminish the strength of the conservative party. It should be noticed that the Mexican War first arrayed the national parties on the question of slavery. The strong Whig attitude of Kentucky is a fair index of the public mind at this time in regard to the extension of the slave power.

After the close of the Mexican War the attention of the people was again strongly directed to their State constitution. This instrument was, by its own conditions, so arranged as to make amendment difficult to accomplish. After a number of efforts to secure a sufficient vote of the people to bring the constitutional convention together in August, 1848, 101,828, out of 141,620 suffrages in the State, were cast for a conven-

tion. There were two principal features in the constitution of 1799 which were unsatisfactory to the people. In the first place, there was a general objection to the principle of the appointment of the judiciary by the governor. Under the constitution of 1799 all the judges, the clerks of the courts, justices of the peace, all attorneys for the Commonwealth, were appointed by the governor or by the courts. It seems impossible to resist the conviction that this system of appointing the judiciary machinery is, on the whole, the best that can be contrived, yet it is perfectly clear that it does not recommend itself to the mass of American citizens. One by one the States have fallen away from it, until at present there are but two that retain this feature which they inherited from their British ancestors. The complaints against it are that it separates the people too much from a control of that part of the administration with which they have the most to do; that it gives the governor, in times of political excitement, too much power to express his views in the appointment of judges and other officers. Something of this was certainly seen in the old and new court controversy, and on other occasions. We may doubt the wisdom or the conservatism of this step, but it should be remembered that Kentucky was not the first to take it. Their action came after it had been adopted in the greater part of the existing States.

In an agricultural community, in the ordinary condition of State affairs, the system of an elective judiciary works moderately well. The result in Kentucky has been more felt in the appellate court than in the lower halls of the judiciary. This highest court has lost in part its reputation as a law-giving body. The

ablest jurists in the Commonwealth have felt unwilling to take the scant pay and onerous duties of this position. When this bench has been so fortunate as to secure able men under the new system, they have generally been unwilling to retain their offices for any length of time, preferring the chances of active practice of their profession to the clamor and difficulties of repeated elections. The circuit judges have, on the whole, been as satisfactory as under the old system.

Another evil of considerable moment was the power of the legislature to raise money on the credit of the State. This had led to the imposition of a considerable burden upon the Commonwealth. The funded debt amounted, in 1849, to four and a half millions of dollars. The greater part of this had been incurred in the various public improvements made in the speculative years of the preceding decade. The people desired to see this debt extinguished, and to have the constitution so arranged that it would not be possible to repeat the process of giving drafts on the future to meet temporary needs. From the beginning of their history, be it said, the people of Kentucky have been slow to contract and quick to pay their debts.

These two objects were accomplished by the amendments to the constitution. The whole body of the judiciary was made elective by the people, and the State was practically secured against debt by some very peculiar features in its constitution, the like of which probably do not exist in any other State. This curious protection against debt has proved of great value to the best interests of the Commonwealth. Moreover, the provisions for changing the constitution, before difficult, were now made so complicated that it has been

found practically impossible to secure any further changes of that instrument, despite the considerable need that now exists for substantial changes. The main aims of the defenses that are about the constitution are commendable. Experience in the old and new court controversy had shown that party conflict might run very high in the State, and for a moment an overwhelming majority might be enabled to effect hasty changes in the organic law. By shaping this law in such a way that it would be necessary for the people to continue in one mind about the necessity of a change for a decade or more, they avoided the risk of hasty action. By requiring a two thirds vote of all those holding suffrage in the Commonwealth to call the revising convention into existence, they secured the instrument from the meddling of a less considerable majority. The result is, as the reader will perceive, that this constitution is one of the most archaic in the world. It contains untouched, and may retain for a generation to come, extensive provisions for the maintenance of slavery. Along with these evils, arising from excessive caution, there have been very great advantages arising from the security against the accumulation of debt. The considerable burden which existed at the time the constitution was amended has been gradually cleared away, until at present there is no actual State debt.

With the change in the constitution the State entered on a short decade of prosperity. From 1848 to 1857 the State saw its richest, and on the whole its most quiet, years. The State debt was slowly disappearing; the people had apparently abandoned the old frenzy for speculation, and were given to conservatism in their business operations.

With all these elements of natural prosperity there was a restless humor in the matter of slavery, a foreboding sense that there was trouble to come on that question. From 1850 to 1860 the anti-slavery party became rapidly extended in Kentucky. In 1851 the party favoring the abolition of slavery made their first political campaign in the State. Their candidate for governor had a vote of 3,621, being somewhat more than three per cent. of the whole vote of the State. This vote by no means represents the numbers of the anti-slavery party at this time in the State. It was a well-known fact that the Whig party was, as a whole, inclined to some action that would limit the soil of slavery, and bring about emancipation along with the deportation of the blacks. This belief, along with the growing excitement on the slavery question, gradually reduced the majority of the Whig party, and sent many of its natural supporters into the ranks of the Democrats. By a gradual change of sentiments the Democratic, once the radical party of the State, became the advocate of things as they were, opposing the notion of change in the system of Southern society. This change first marks itself distinctly in the elections of 1851, that which gave Cassius M. Clay, the abolition candidate for governor, his vote above referred to. In this election Lazarus W. Powell, the Democratic candidate, had a plurality of about one thousand votes, a portion of the more advanced Whigs having deserted Archibald Dixon, their nominee, for the abolition candidate, while another fragment of the party was inclined to support slavery, having voted with the Democrats. The Whigs were now in that attitude of indecision on the slavery question which eventually made an end of their party.

Cassius M. Clay was the leader of the abolition movement; for a number of years he had been the most prominent member of that party in the Commonwealth. This gentleman was long and almost alone the advanced guard of abolitionism in the State, and did more than all others to win from the Kentuckians a respect for that valorous political faith. Of good birth, excellent education, and endowed with the dauntless aggressive courage which everywhere captivates men, he defied the pro-slavery extremists, at the same time so winning their admiration that he never incurred their hatred.

In 1845 Mr. Clay established an anti-slavery paper in Lexington. A meeting of citizens ordered him to discontinue its publication. At a time when he was prostrated by a severe illness a number of citizens of Lexington packed the contents of his printing-office and sent it to Cincinnati. Shortly afterwards he returned with it and quietly resumed the publication of his paper.[1] He then went to the Mexican War, where he was captured and was long a prisoner. On his return his fellow-citizens presented him with a sword. His intrepidity and eloquence gained him the respect of his antagonists, and did much to take away the contempt with which his party was first regarded by the pro-slavery people.

All through the decade from 1850 to 1860 the excitement concerning slavery steadfastly increased. It is impossible to catalogue the small conflicts that arose from the stampeding of negroes and the disturbances at political meetings that gave fuel to the fire. The progress of the debate served to divide the pro-slavery

[1] See Collins, i. 51.

from the anti-slavery parties with constantly increasing distinction. Still, in 1852, the vote for Scott showed that the Whig candidate for the Presidency was the choice of Kentucky by a vote of 57,068 to 53,806 for Pierce.

The singular outbreak of anti-Catholic and foreign feeling which marked American politics in 1853 to 1856 was very violent in Kentucky. This conflict was the more curious from the fact that Kentucky had hardly any foreign population, and the native Catholics were excellent and respected citizens. The old parties were much changed by this revolution, still the greater part of the Whig party went with the Know Nothings, and the Democrats generally sided with the party that opposed them. For a while this curious excitement, which in the hereafter will puzzle the student of politics even more than it does those of our own day, completely overwhelmed the interest in the slavery question. In the election of 1855 the Know Nothing candidate for governor received 4,400 majority over his competitor. This election led to a very disgraceful riot in Louisville, in which the roughs of the native American party attacked the Catholic people. This riot led to the loss of twenty-two lives, and to the destruction of a large amount of property. This disgraceful affair brought the Know Nothing party into much discredit, still the Whig element was so strong that in the presidential election for 1856 the Democratic ticket, though its candidate for Vice-President was John C. Breckinridge, the most popular citizen of Kentucky, only received a majority of 6,118 over Millard Fillmore, the American party candidate; the vote standing, Buchanan and Breckinridge, 69,509, Fillmore and Donelson, 63,391.

The speculative era from 1854 to 1857, which was general throughout the United States, had led to a considerable but hardly reprehensible enlargement of the Kentucky banking system. When the crisis of 1857 came upon the country, the circulation of these banks was very much extended, and several newly chartered institutions went to the ground, but the old, well established banking houses of the Commonwealth, on which the business of the community depended for support, weathered the storm. In a few months they called in one half of their paper, and the remainder of their notes became the standard for the circulation of the Ohio Valley. They maintained specie payments through the whole of this severe financial storm. The good credit thus secured by these banks was of great profit to them. It made their notes so popular that in 1859 their circulation amounted to over $14,000,000, being an increase of five millions of dollars within a year.

Thus we see that this population had at last acquired that portion of the financial art which more than any other measures the sagacity and fidelity of a people in business affairs. When we remember that these banking establishments were, in the main, in the control of men bred on the soil who were separated from the business traditions of the world, who had developed their methods out of their own experience, it gives Kentucky merchants a good claim for eminent capacity in this difficult task of dealing with the monetary problems of society. This claim was yet further established, as we shall afterwards see, by the management of these banks in the serious difficulties that beset them at the outset of the Civil War.

As we must shortly pass to the consideration of the

events that immediately preceded the Civil War which made a new era in Kentucky history, it will be well to make a brief survey of the political and social conditions of the Commonwealth in the decade of 1850–60. So far the life of Kentucky had been an indigenous growth, a development from its own conditions singularly uninfluenced by any external forces. With only the germs of a society sown on this ground, there had sprung into existence a powerful Commonwealth, that now, at the end of eighty years of time, felt strong enough to stand alone in the struggles that were soon to rage about her. No other State in the Mississippi Valley — hardly any of the original Southern States — had pursued its course with so little influence from external conditions. There had been relatively little contributions of population from other States, except from Virginia, North Carolina, Pennsylvania, and Maryland, and but a small immigration from European countries since 1800. This made an indigenous development not only possible, but necessary.

From 1774 to 1860, eighty-five years had elapsed. This period measures the whole course of Kentucky history, from the first settlement at Harrodsburg to the beginning of the great tragedy of the Civil War. As before recounted, the original settlement and the subsequent increase of the Kentucky population were almost entirely drawn from the Virginia, North Carolina, and Maryland colonies; at least ninety-five per cent. of the population was from these districts. Probably more than half of this blood was of Scotch and North English extraction, practically the whole of it was of British stock. The larger part of it was from the frontier region of Virginia, where the people had never had much to do with slavery.

The total number of these white settlers who entered Kentucky in the first eighty-five years cannot be determined with any approach to accuracy, but from a careful consideration of the imperfect statistics that are available, it seems reasonable to estimate the whole number of white immigrants at not more than one hundred and twenty thousand (it was probably somewhat less), while the slave population that was brought into the State probably did not amount to one third this number. In 1860 the white population amounted to 919,484, and the slave population to 225,483. The free black population to 10,684. Of the white population at this census 59,799 were born beyond the limits of the United States. This element of foreign folk was in the main a very recent addition to the State; it was mainly due to the sudden development of manufacturing interests along the Ohio border, principally in the towns of Louisville, Covington, and Newport, and to certain new settlements of agriculturist Germans in the counties forming the northern border of the State.[1] The foreign born people had not yet become to any degree mingled with the native people either in the industries or in blood.

Before we can estimate the fecundity of this population we must note the fact that from 1820 or thereabouts down to 1860 and later, there was a very great tide of emigration from Kentucky to the States that were settled in the other portions of the Mississippi Valley.

[1] The region immediately along the Ohio River seems to have an especial attraction for German settlers. They began to be an element of some importance in the population of this region about 1850. The attractions of this region above other parts of the State seem to have been in the facts that the negroes were few in number, and the land cheap and suitable for the growth of the grape.

The southern parts of Ohio, Indiana, and Illinois received a large part of their blood from Kentucky. Missouri was so far a Kentucky settlement that it may be claimed as a child of the Commonwealth. Tennessee, Arkansas, Mississippi, and Texas also received a large share of the Kentucky emigrants. The imperfect nature of the earlier statistics of the United States census makes it impossible to determine with any accuracy the number of persons of Kentucky blood who were in 1860 resident in other States, but the data given in the Appendix make it tolerably clear that the total contribution of Kentucky to the white population of the other States amounted in 1860 to at least one million souls. The increase in the black population was probably rather less than that of the white, but there is no data for its computation.

If this estimate is correct the fecundity of the Kentucky population in the first eighty years of its life exceeds that which is recorded for any other region in the world. There are several reasons which may account for this rapid multiplication of this people. In the first place the original settlers of Kentucky were of vigorous constitution; they were not brought upon the soil by any solicitations whatever, nor were they forced into immigration by the need of subsistence. Access to the country was difficult, and for some decades the region was exposed to dangers from which all weak-bodied men would shrink. The employment of the early population was principally in agriculture, upon a soil that gave very free returns. There was plenty of unoccupied land for the rising generations, so there were no considerations of a prudential nature to restrain the increase of population. For a long time children were

a source of advantage to the land-tiller, and apart from pecuniary gain there was a curious patriarchal pride in a plenteous offspring. The climate proved exceedingly healthy. There were no low grade malarial fevers to enfeeble the body, and the principal disease of the early days, a high grade bilious fever, though rather deadly, did not impoverish the life as the malarial troubles of other regions in the Mississippi Valley have done. The syphilitic poison does not seem to have been common among the people, and its attendant, consumption, was less prevalent than in most other countries. Thus the first population of Kentucky was from the purest spring that ever fertilized a country, and there was little to defile its waters. The principal evils that beset the population were two: first, the excessive use of tobacco and alcohol, which doubtless did something to lower the vitality of the population; second, the extremely defective system of education, which left the people essentially without the means of getting a training proportionate to their natural abilities.

The institution of slavery tended to keep the industrial and the related social development confined within narrow lines. At the beginning of the century the State had an industrial spirit that was fit to compare with that of New England and the other northern free States. Many of the arts that were exercised by the whites took on a rapid advance, but the negro is not by nature a good general citizen, nor could he be expected to develop his capacities in the state of slavery. Gradually manual labor, except in agriculture, became in a way discreditable and distasteful to the mastering race. The mechanical industries, except those of the simpler domestic sort, were generally abandoned even

before northern and eastern competition came in, or were transferred to the northern border of the State, where they were carried on by foreign white labor, and were no important part of the life of the State. Gradually the occupation of men became more and more limited to agriculture. The census returns show a considerable list of factories, but they were principally of the domestic sort, the manufacture of whiskey, of homespun cloth, tobacco, etc., employing relatively little capital, and not giving much diversity of employment to the whites. This want of manufacturing life was by no means an unmitigated evil, for it kept the people in more wholesome occupation; but it served to restrain the growth of wealth, on which the progress of education and the development of capital much depends.

The development of slavery was also marked by the progressive separation of society into a richer and a poorer class, though, from the failure of the slave element to increase with the rapidity normal in the more Southern States, the effect was not as great as in these districts. The middle class of farmers in Kentucky, — those who though fairly well to do were not slave-owners, — always remained a very strong, in fact a controlling, element in the Kentucky population. Still, men who were hand-laborers even on their own soil always felt that they occupied another caste than those who owned slaves. Short of a great difference of race, there is no basis of social distinction that man has invented which is so trenchant as that which separates the slave-owner from the non slave-owner. However uniform the laws, social prejudices are sure to be engendered by such a difference in estate. The greater part of the tide of strong life that went from Kentucky

to other States in the four decades that preceded the Civil War was from this yeoman class, — the reddest, if not the bluest, blood of the State.

Despite these hindrances to social development, the commercial advance of Kentucky in the first eighty years of her history was marvelously great, especially as it was accomplished practically without the aid of any foreign capital whatever. This absence of immigrant capital in Kentucky in the first sixty or eighty years of its history is something that well deserves to be considered in measuring the development of the State. Until the close of the Civil War there was scarcely an improvement in the Commonwealth that was not the result of the capital won by the people. The extracts from the United States census, given in the Appendix, show some of the more important features of this growth. An area of at least eighteen thousand square miles had been cleared of its forests and brought under plough tillage; every portion of the more fertile districts had been penetrated by turnpike roads, by railways, or made approachable by artificial navigation in the rivers. In connection with this it should be remembered that the expenditure of labor required to bring an acre of Kentucky land under tillage is many times as great as that required to subjugate prairie land. The mere felling of the forest and grubbing of the roots require at least twenty days' labor to the acre of ground.

It requires a vivid imagination, or some personal experience, to conceive of the enormous amount of physical labor involved in the bringing of forest land into a shape for the use of civilized man. In all the Northern States the work of subjugation and construction, which is necessary on new ground, was in good part accom-

plished by the aid of capital that was brought into the country in its settlement. The first settlers in the Northwest generally brought a considerable amount of wealth with them, and they were followed quickly by capitalists glad to take advantage of the new opportunities that are offered for the investment of money in a new State. This hastened the new States past the frontier, or pioneer, condition with extreme rapidity. None of these outside aids were offered to Kentucky. The first settlers had little capital beyond the price of their lands and the few household effects that could be packed on horses or wagoned over the mountains. All their wealth they had to win from the soil and from their little factories.

Two circumstances greatly helped this people to establish the foundation of their wealth. The settlements at the mouth of the Mississippi afforded, in a very early day, a considerable market for certain products of the soil, especially for tobacco. This plant, which had given a basis for the early commerce of Virginia, helped in turn the development of Kentucky. As early as 1790 there was a considerable shipment of this article. General Wilkinson, whose last shipments were in 1790, received, as was found in his court-martial, as much as $80,000 for a small part of his tobacco alone from the Spanish agents, and he was only the pioneer in this business, which afterwards grew to be a great commerce even before the cession of the Louisiana Territory to the United States.

This source of traffic was rapidly supplemented by the use of Kentucky as a basis from which the settlement and supply of the other Western States went on.

First the Virginian government, and afterwards, on a far larger scale, the United States government, were purchasers of the products of this region to be used in their campaigns. When, after the War of 1812, the valley of the Mississippi began rapidly to be settled, Kentucky was the natural depot whence came for a time not only the greater part of the settlers, but a large part of the materials, necessary for the starting of new settlements. This stimulus to trade made it easy to make money from agriculture, especially when that agriculture rested on a soil of admirable fertility and fair endurance as to tillage. Unfortunately it led to the rapid wasting of the soil, especially in the tobacco husbandry. This crop is a very rapid exhauster of the fields where it is cultivated, and with a husbandry made reckless by large profits and cheap land, a considerable part of the soil was impoverished and left in a deplorable condition. Fortunately the Kentucky soils are easily restored to fertility by fallow and skillful tillage; excepting some hundred thousand acres where the earth was actually washed away, it is already renewed or easily recoverable to its primitive fertility.

In 1860 Kentuckians had already won nearly one half of the State's surface to the plough. The remainder was still in forests. At no time had there been any pressure for means of subsistence upon the people. The soils of the first quality were now actively under tillage or in grass. Nearly one third of the State was still covered with original forests, rich in the best timbers, and the mineral wealth of the State was essentially untouched. The preliminary geological survey of Dr. David Dale Owen had shown, in its four volumes of reports, that

this country was extraordinarily rich in coal beds and iron ore deposits, but the State in the main drew its supply of timber, coal, and iron from beyond its borders. All its principal industries were agricultural, and its exports were raw products and men, — exports, as has been well remarked, that naturally go out together.

Its growth of population was now, in the ninth decade of its existence, relatively slow, not that the people were less fecund than of old, but the trifling incoming of settlers along its northern borders did not in any degree replace the constant westward setting tide of emigration. Slavery no longer profitable, already in fact on its wane, condemned by its more intelligent people as a source of serious evils, still served to deter immigration and to stimulate the exodus of the yeoman class.

Unhappy as the Civil War was in its immediate effects, it undoubtedly made an end of conditions that were sapping the strength of the Commonwealth. Another twenty years of wrangle over the slavery question, and of consequent emigration of the yeoman class, would have brought about a total arrest of its development and still further reduction of its manly strength. It had to pay heavily for the change of conditions, but dear as was the price, the new life was absolutely necessary to the best future of its people. The State was, by its conditions, unfit to profit by the presence of slavery. That institution, no longer of economic value, was dying apace, still its presence in name was enough to keep down growth. Kentucky was about to fall between the two forms of life, when the war, and the destruction of slavery which it entailed, opened a new future to its people. Although the separation from its

old conditions was only secured by a tremendous conflict that gave its whole manly strength to the work of war, and sent the best life of a generation to the grave, it was a less evil than the decay that now was bearing her down.

CHAPTER XV.

THE BEGINNING OF THE CIVIL WAR.

For ten years before the actual outbreak of the Civil War the possibility of its coming was ever in the minds of the people. Their long training in the most practical politics, that which comes with the making of a Commonwealth, had served to bring out their sense of political dangers, to give them a good degree of foresight in matters that concern the State. There was a general desire to do something with slavery, but an equally general sense of the enormous difficulties of the problem. Nothing was done, but it is something to have a whole people thinking of a problem.

In 1850 the State Emancipation Convention at Frankfort demanded that the new constitution should give the legislature complete power to perfect a system of gradual emancipation of slaves. In the same year the legislature provided for the placing of a block of Kentucky marble in the Washington monument, bearing the inscription that "Under the auspices of Heaven and the precepts of Washington Kentucky will be the last to give up the Union." These two selected incidents will serve to mark the beginning of the conflict and the motives of the people in reference to it.

The elections of 1859, following on the great intensification of the debate between the abolitionists and the pro-slavery party, gave the State to the Democrats by

a majority of 8,904. It should not, however, be concluded that this by any means represented a majority for the "Southern Rights" party. A large, perhaps even the greater part of the Democrats represented men who were very strongly opposed to the idea of separation, but were desirous of resisting, by all constitutional ways, the motives of those who desired to abolish slavery by any action coming from beyond the State. They were State rights people, and often enough hostile to slavery in their sober judgment; but as a class they were not willing to go to the point of separating from the Union to advance their State rights politics.

In a certain sense the Democratic party was now the conservative party of the Commonwealth. It was the party that desired to maintain the existing state of institutions against a faction that was decidedly, though in a conservative way, revolutionary in its tendencies, in that it was willing to take some active measures concerning slavery. We may also notice that in this election of 1859 the same number of congressmen were chosen by each party. This indicates an equal division in the politics of the Commonwealth that deserves especial notice. The Democratic majority came mainly from the Blue Grass or wealthier districts of Kentucky; the counties on the poorer soil, where the slave interest was small or non-existing, retained their resolutely hostile attitude to the leadership of the slave power. This, the first definite decision on the slavery question, shows in a remarkable way an influence of the soil on politics. The dwellers on the limestone formations, where the soil was rich, gave heavy pro-slavery majorities, while those living on the poorer sandstone soils were gen-

erally anti-slavery in their position. This geological distribution of politics was by no means peculiar to Kentucky: it was common throughout the South.

In the selection of Beriah Magoffin for governor, the Democratic party gave the executive office of the State into the hands of a man who, though an honorable citizen and one desirous of doing his whole duty, was not by nature or training well fitted to manage a government in the grave trouble that was coming upon it. Neither in politics, nor in any other line of activity, had he received the education which his difficult position required. Under ordinary circumstances he would have made a good, faithful, and efficient governor, but in the terrible trials that were in store for him he broke down altogether.

This election gave the Democratic party a large majority in both houses of the legislature. The assembly elected John C. Breckinridge, then Vice-President of the United States, as senator, by a vote of eighty-one to fifty-two for the opposition candidate. This is a fair measure of their majority. It will thus be seen that the Democratic or Southern Rights party had the fortune of the State given in their hands by the last election preceding the outbreak of the Civil War. Men of their choice had the future destinies of the State in their keeping. They had all the advantage of position in the struggle that was to come. There can be no doubt that already the greater part of the leaders of that party were latently inclined to secession in the event of Lincoln's election, though their motives only became gradually known to the people, or even to themselves. Their designs became manifest, not by any proclamation of their views, for it seems certain that as yet there

was no distinct design of separation, but from the general course of their speech and action. But the fact that their cause was not approved by the people was at once plainly shown.

In the August election of 1860, the fact that the people were drifting away from the leaders who held the State government was marked by the election of the Union candidate for clerk of the appellate court by a plurality of about twenty-four thousand over the Breckinridge or secession candidate. The vote stood: Leslie Combs, Unconditional Union, 68,165; Clinton McCarty, Breckinridge Democrat, 44,942; and R. R. Bolling, Union Democrat, 10,971, — making the anti-Breckinridge vote nearly two to one that which his party polled.[1] In the presidential election of the following November, Bell and Everett (Compromise Union) received 66,016; Breckinridge and Lane, 52,836; Douglas and Johnson, 24,644; Lincoln and Hamlin, 1,366. Counting the votes opposed to Breckinridge as for the Union, we have a majority of 39,184 against secession in a total vote of 145,862.[2] Comparing this vote with that of the elections of the preceding year, when Magoffin, the Democratic candidate for governor, had a majority of 8,904, we see clearly how rapidly the people of Kentucky were arraying themselves against secession as the nature of that project began to be unfolded. It would, however, not be proper to represent this feeling of the conservative party as an unqualified approval of the project of remaining in the Union come what would. The state of mind of the masses of the people at this time is hard to make clear to those who, by geographical position, were so fortunate as to have their

[1] See Collins, i. 84.

[2] Collins, i. 84.

minds carried into a perfectly definite position in this difficult question of national politics. The citizen of Massachusetts or the citizen of South Carolina, surrounded by institutions and brought up in associations which entirely committed him to a course of action that was unquestionably the will of his people, had only to go with the tide that bore him smoothly along. Whatever the issue might be, unity within his sphere of action was easily attained. Not so with the citizen of Kentucky; the Commonwealth was pledged by a generation of conservatism to her line of conduct set forth in the inscription she had placed in the monument to Washington.[1] Her people, almost without exception, shrank from any dissolution of the Union with a real horror. At the same time, if the Union should go utterly to pieces, if this fine fleet of sister ships was to be cast away in the great storm that was rising, what should she do to save her own staunch ship from the general peril? The ties of blood and of institutions bound the Commonwealth with the Southern States, every one of which was drifting away from the Union. The pledge of political faith tied her to the fragment of the Union with which she had little social sympathy, and in which she could not expect much comfort. Surely never was a people so unhappily placed.

All the days and nights for the dismal year that preceded the war the harrowing question of their action was upon men's minds; by every fireside and in endless meetings the conflict of opposed minds went on. Men, women, and children thought and talked of nothing else. The whole life of the citizens went into the matter as never before among any people. In all the other

[1] Vide supra, p. 231.

stages of our race conflicts there has been a lower portion of the populace which gave little thought to political questions. They have acted, when the time came, in the way their leaders led them; but in 1860 no white man's cabin in Kentucky was so remote in the wilderness that grave care did not sit by its fireside during all this year.

The intellectual and political leadership of the Commonwealth was mainly in the hands of men who, though often unconsciously, were steadily acting in a way to lead the people toward secession. Still there was in the crisis a host of strong, clear-headed men whose voices were heard in every gathering, who urged that political faith could not be abandoned for sympathies, and that the State must stand by her deliberate pledges to the Union. Gradually, out of the endless praying and debating, there came a curious state of mind, which soon took shape in action.

This general opinion of Kentucky was that the war was an unnatural strife which would necessarily result in the certain, though, as they hoped, temporary disruption of the Union they all loved so well. They did not believe that the States had a moral right to secede; on the other hand, they did not believe that the Federal government had either the constitutional right or the power and energy to coerce them back into the Union. The undoubted preference of the Kentucky people was that the Southern States should be allowed to go in peace. She herself would stay where her pledges kept her, and, after a sorrowful experience, she believed that her erring sisters would sue for readmission to the Union. If the Federal government resolved to take what seemed to them the unconstitutional process of

arms to compel the States to return into the Union, Kentucky would have no part in the process. She would stand alone, while North and South both left the paths of duty under the constitution, bidding them to keep their battles away from her soil. The position was a logical one, and has a certain grandeur in its conception. The people clearly believed that both sides had left the paths of the constitution, that the war was essentially unconstitutional, and that in time they would have to return to their old positions. They thought that Kentucky, by well-timed mediation, could soon persuade the warring States to peace.

In the wild talk of the time this neutrality project of the Kentucky people was denounced as cowardly. There are States in the world which it would be proper to defend from this accusation. With Kentucky this attitude was a sorrowful and noble, though it must be confessed in the after light of events a somewhat Quixotic, position. But in 1860 and the beginning of 1861, it seemed to be a very rational standing ground. If war came into Kentucky it would be internecine and fratricidal. The people did not so much fear war for the dangers and losses it would bring, but they did look with terror on the fight between friends and brothers. They were justified in their own minds, and will be justified in the opinions of reasonable people, in doing anything that honorable men could do that promised to avert this evil.

At this time the State was rich in men and means of war. With fifty thousand soldiers of its own and forty thousand square miles of territory that lay between North and South, and with a willingness to take every means of conciliation to make an end of the conflict,

they could soon hope to still the sea of troubles. Looking at it from half a lifetime of distance, it appears as a very remarkable resolution for a people to make, though it will be seen to be in many ways the logical result of the history of the people. The Kentuckians were, from the beginning of their history, in many ways a singularly separate State. The ancestors of the people won their right to life and property by their own hands. For two generations they stood almost entirely apart in their life and their politics, keeping always a keen interest in American affairs, but not wedded by interests very closely to the American system of States.

Gradually Clay, Crittenden, and other great leaders, brought them to a sense of pride in, and devotion to, the Union. But the sense of their place as Kentuckians was always stronger than their sense of the Federal relation. It would require a separate chapter to explain the peculiar Southern sense of State rights and to account for its development. We have, in a previous chapter, looked at the outlines of this history; as we are now to deal with a problem in which this motive is again to be in the lead in the State life, we should bring it once more before us, — as clearly as it can be done in a few words.

From the colonization of this country until the end of the Revolutionary War the motives of political life were limited. Within the colony the adhesion to the mother country grew steadily less and less strong, until it was too weak to bear even trifling strains such as gave birth to the Revolution. No theory of the American Revolution can be made reasonable that does not take as its essential basis the singular and hardly to be explained sense of local independence which was de-

veloped in the colonies. As separate States the original thirteen colonies fought the Revolutionary War, and whatever interpretations may be given to the constitution, it was as separate States that they dealt in making the final Federal compact. This separatist impulse they took with them into their life as united States. Whatever motives of love for the Federal Union have since come into existence are new compared with the local loyalty of early days. In the Northern States, — mostly communities occupying smaller areas, which soon became united one to another by the strong bonds of commerce, — this beloved sense of isolation and independence, perhaps in the beginning less strong than in the Southern States, became gradually weaker, and was replaced by a strong national sense. In the South, where the social conditions favored a mediæval isolation of communities, and when the interstate commerce, and, indeed, commerce of any kind, was always a small element in the life, State rights never lost their original strength. It is a great misfortune that the excellent political motive embodied in the "State Rights" impulse became the tool of the slave power, and the means of protection of that institution from the natural forces that menaced it. There is a common notion that State rights was a device of that power for the maintenance of its conflict with the rest of the country. The motive was a deeper and nobler one than this theory would make it. Its connection with slavery was a mere accident. It arose from that sense of domestic strength, that admirable power of trusting to and loving a community that is the best quality of the race, — that on which alone a great nation of freemen can firmly stand.

When Kentuckians declared for neutrality they acted

out the motives of their history. Futile as the expedient proved to be, it was singularly spontaneous and acceptable at the time it was devised. The decided Union men who desired to join in arms with the Federal government, and the secessionists who wished the State to go with its southern kindred States, each welcomed the movement as giving them possibilities of action that were denied them at the moment. In the chances of the combat each party could hope to win the result it wished to obtain.

There is reason to believe that this course was the only one that could have kept Kentucky from secession. If what had been unhappily named a *sovereignty convention* had been called in 1861, if the State had been compelled to accept the decision of a body of men who were acting under the control of no constitutional limitations, the sense of sympathy and of kinship with the Southern States, such as would easily grow up under popular oratory in a mob, would probably have precipitated action. Virginia, the mother State, was as decidedly Union in its sentiments as Kentucky; yet it proved easy, as soon as it had departed from constitutional ways, so to turn the sentiment of sympathy that it overwhelmed the respect for the organic law of the Commonwealth, and led the State out of the Union. The Legislature of Kentucky caught this universal will of the citizens for neutrality, and proceeded to shape its action accordingly.

Even after this resolution of neutrality had been so generally expressed as the will of the Kentucky people, there were various schemes for the solution of the differences between the Northern and Southern States. All of these efforts to stay a moral cyclone with a little

political oil are interesting, especially those known as the Border State, or Crittenden, compromises; they are interesting as a part of the political history of the times, but it would carry us too far from the account of the local affairs to give them more than mention here. They were all approved by the people, who were willing to take any road to peace, and were warmly seconded by the legislature, but they never got beyond the state of resolutions; they never had a chance of becoming a part of the Constitution of the United States, where alone they could have been of any service. In this time of storm the border people, on whom the blow of the war was to fall, caught like drowning men at every straw that promised safety.

On May 6, 1861, the legislature met under a call of Governor Magoffin, and remained in session until the 24th. It should be remembered that it was a Democratic legislature, and that when elected it was supposed to be favorable to secession. Brief as was this session — it lasted less than a month — it was long enough to determine the future history of Kentucky, perhaps of the Union, for if Kentucky had cast her lot with the rebellion, it may well be doubted if the Union would have been preserved.

In the rapidly changing conditions of the time, these legislators who assembled in Frankfort on the 6th of May were, for a time, in much confusion of mind. There was a distinct division between the decided Union men and the decided secessionists; but between them there was a floating body which was awed by the resolve of the people for neutrality, yet desired to obey their impulses and to act with the Southern States. Some men elected as Union had drifted to the other

side. At least four of those who were originally "Breckinridge men," or classed as "Southern Rights," had abandoned their leader after finding whereto he led them.[1] In this state of the parties the Confederate element was more hopeful than the Union party. The most that the latter dared try to obtain in a legislature so Southern in its sympathies was the accomplishment of the neutrality project. The secession party desired to defeat this measure, as the alternative would be, they had every reason to expect, what it had been in the other States, namely, secession.

The legislation of this session began with resolutions intended to define the position of the Commonwealth. The first of these referred to the answer that Governor Magoffin had made to the call of the Federal government for "four regiments of militia for immediate service." His answer was that "emphatically Kentucky will furnish no troops for the wicked purpose of subduing her sister Southern States."[2]

The first resolution proposed was as follows:[3] —

"*Resolved*, That we most cordially approve and indorse the course of Governor Magoffin in refusing to comply with the recent requisition of the Federal government for troops to invade the Southern States."

On this resolution a vote was offered to postpone, which was lost by a tie of forty-five to forty-five. This vote was never passed. On May 16th the Committee on Federal Relations reported a resolution which read as follows: —

[1] These men were R. T. Jacob and R. A. Burton, of the house; F. Marshall and J. A. Prall, of the senate.

[2] Collins, i. 87.

[3] See speech of Colonel Jacob, *Louisville Commercial*, January 8, 1882.

"Considering the deplorable condition of the country, for which Kentucky is in no way responsible, and looking to the best means of preserving the national peace and securing the laws, liberty, and property of the citizens of the State; therefore

"*Resolved by the House of Representatives*, That this State and the citizens thereof should take no part in the Civil War now being waged, except as mediators and friends of the belligerent parties; and that Kentucky should during the contest occupy the position of strict neutrality.

"And your committee recommend the adoption of the following resolution: —

"*Resolved*, That the act of the governor in refusing to furnish troops or military force upon the call of the executive authority of the United States, under existing circumstances, is approved."

The first resolution was carried by sixty-nine to twenty-six, the second by eighty-nine to four votes.

These declarations the secessionist members took to be in the line for which they were acting. They, therefore, in the main joined the neutrality men in voting for them. The next and third step was away from the path they chose to tread, for if taken it certainly made immediate action in favor of their party impossible, and they well saw that they would not be so strong when they had submitted their cause to the election impending in the August following. A motion was made to substitute for the preamble of the preceding resolution the following words: —

"Whereas, the General Assembly of the Commonwealth of Kentucky have asserted strict neutrality to be the position desirable for the State to occupy in the

present contest between the Federal government and the seceding States, therefore the General Assembly of the Commonwealth of Kentucky asserts that their position will be maintained with sincerity and honor by the State; that the parties engaged in the present fratricidal war should respect the neutrality, and know that Kentucky cannot with honor to herself submit to armed forces hostile to this neutrality invading her soil; that Kentucky asks and will defend her rights of friendly intercourse and trade with both sections, thereby denying and intending to deny to the Federal government and the Confederate States the right or authority, by force or otherwise, to take possession of and hold the property of private corporations on any territory within her borders for any purpose or on any pretense whatever.

"That a copy of the resolutions passed by the general assembly, and approved by Governor Magoffin, in refusing troops to participate in this conflict, together with a copy of these resolutions, be forwarded to the executives of the Federal government and the Confederate States, respectfully requesting the proper authorities in this unfortunate conflict to respect the neutrality of Kentucky."

The previous question was moved by the advocates of neutrality. The leader of the secessionists moved to lay the motion on the table. The motives that led the secessionist party to vote for the milder resolution of neutrality, while they resisted this clear statement of the proposed amendment, were about as follows. The first proposition was so general in its terms that they would be left perfectly free to give active support to their cause; some form of neutrality was called for by

the people, and this to the secessionists the least offensive shape of that action might serve to meet the popular demand. The substitute meant that the neutrality was to be very definite in its provisions, and that if it were to become the basis of action of the executive they could not hope to go farther with their projects within the State.

Now began the most dramatic incident in this remarkable session. It was decided that the main question should be put. Then the motion to lay the preamble and resolution on the table was put and rejected by forty-eight to forty-seven. In this complicated game of political fencing, the details of which are not interesting, this was hailed by the secessionists as a victory; it appeared that one of the Union men had gone over to their side.

The remainder of the incident can best be told in the words of Colonel Jacob, himself one of the Union men of that legislature. "The secessionists, exultant with the prospect and certainty of triumph, were unbounded in their expression of delight. The Union men, pale, despondent, and apprehensive that all was lost, were for a moment overcome and staggered with dismay. Mr. William Brown, I think, of Christian County, one of the staunchest and best Union men, had apparently gone over to the Democrats, and given them the majority. Having every confidence in Mr. Brown's integrity, I determined to know the worst. I crossed over to his seat, and said, 'Brown, have you deserted us?' He replied, 'No.' Then I said, 'Why did you give that vote? You have scared us nearly to death.' And I shall never forget his reply; it was this: 'I wanted to give them a high fall.' And I tell

you he did it on the next question, which was taken on the adoption of the substitute for the preamble, and it was decided in the negative, forty-seven to forty-eight, Mr. Brown renewing his connection with the Union party, and giving them one majority. The house then adopted the original preamble and resolution."

This seems like a trifling incident, but it did much to determine the fate of the Commonwealth. The secessionists had seen victory in their grasp, they had exulted in their majority, and found that they had been played with by their antagonists. They lost heart from that vote. Some of them at once left their places for the Confederate army, convinced that nothing but the invasion of Kentucky by an army from the Southern States would give them mastery. In this they judged well. The minds of the people were daily becoming more decided against the secession movement. The fury and haste with which their sister Southern States were leaving the Union did much to turn the Kentucky people against them.

The State was now in a very precarious condition on account of the known animus of the militia organization called the State Guard. There were fifty-four commands of these troops, amounting in all to about fifteen thousand men. They were the only military force in the Commonwealth, and were generally under officers of disunion sentiments. About all the serviceable arms owned by the State were in their possession. The legislature gave the control of these troops into the hands of a military board, composed of trusted citizens, and presided over by the governor. They provided the sum of $1,000,000 for the expense of arming and disciplining the militia, $750,000 to be expended for arms,

one half to be issued to the State Guard, the other half to the Home Guards. The State Guard was to be at once placed in camp; the Home Guards were to be held in reserve. It was provided that "neither the arms nor the militia were to be used against the government of the United States nor the Confederate States, unless in the sole defense of the State of Kentucky." On the day of the passage of this act the governor appointed General Simon Bolivar Buckner Inspector-General of the State forces.[1] As will be seen in the sequel these apprehensions concerning the State Guard were entirely justified.

At a special election for congressmen to fill vacancies, held in June, the Union majority was 54,670, the anti-secession candidates being elected in nine out of the ten districts. On the 24th of June six companies of the State Guard, under the command of Colonel Lloyd Tilghman, were ordered to Hickman to secure that quarter against the threatened invasion of the Confederate troops. Colonel Tilghman at once resigned his command to take a place in the Confederate army, thus showing the first clear evidence of the entire untrustworthiness of this force.

The regular election on the first Monday in August gave the first distinct expression of the will of the neutrality party; it gave 76 Union to 24 States rights or secession votes in the house, and 27 Union to 11 States rights in the senate. The Union majority in the senate would have been larger but for the fact that one half that body held over from the preceding election.[2]

[1] Collins, i. 91.

[2] In the Kentucky senate the members are elected for four years; one half the number is replaced each two years.

Although the neutrality party had now obtained full control of the State legislature, the impossibility of their project was already beginning to be apparent. Thousands of the Confederate sympathizers slipped away over the border to Tennessee and Virginia. In some cases they were organized into companies on the soil of Kentucky. Humphrey Marshall had a recruiting camp, and organized troops in Owen County, within thirty miles of the State capital; a camp of out-and-out Union men was established under the command of General William Nelson, at Camp Dick Robinson, in Garrard County. The extreme men of either party, dissatisfied with the position of the State, yet respecting its proclaimed position, were pouring in a constant stream to take service in the regiments of other States.

In this period of rapid change President Lincoln showed his remarkable discretion in avoiding all acts of invasion of the Commonwealth. The small United States garrison at Newport, the only government military station in Kentucky, was retained, but neither reenforced nor fortified. The force gathered at Camp Dick Robinson, in Garrard County, was composed solely of Kentuckians, who claimed that they were organized for their own protection, and though they were recognized by the Federal authorities as Union soldiers, their action did not in strict terms constitute an invasion of the State. They went no farther against the attitude of neutrality than Marshall's action did. Several regiments of Kentuckians were, however, enrolled by the Federal government in camps in Indiana and Ohio, from among the citizens who crossed the border to enlist. This, too, was no transgression of the neutrality chosen by the Kentuckians. It was fast becoming evi-

dent that the greater part of the able-bodied citizens of the State would soon drift away into the opposing armies, leaving the Commonwealth an empty shell, an object of contempt to both sides. There was no chance to guard the frontier, and so to retain the citizens in the State; the able-bodied whites, if all were mustered on the border, could not suffice to guard the possible lines of escape to the North and South. Moreover, there was no law that could have been used to retain citizens within the State. The periphery of the State is about fifteen hundred miles in length, and all its adult white males would, if constantly on watch, hardly make a single line of sentries along its extent.

While it thus became evident that the position of neutrality would have to be abandoned, a number of circumstances now served to turn the temper of the people more and more towards a union with the North. A remark attributed to Howell Cobb, of Georgia, that the Southern men would only have "to go home, raise cotton, and make money," leaving the war to the border States, was one of the many stings that turned the people from the once cherished idea of neutrality. Moreover, the unanimity and apparent heedlessness of the Southern States in rushing into rebellion were irritating to the Kentuckians, who had planned a course which they expected would bring the disturbance to some happy end. They felt they had a right, in this endeavor, to the sympathy and coöperation of the Southern States, especially of their cousins in Tennessee and their brothers in the mother State of Virginia. It was the belief of the neutrality men that these States had been forced from their position in the Union by the secession element without a proper appeal to the people of those

States, and that by their action Kentucky had been deprived of her natural allies in its effort to stem the tide of war. It was felt that the Federal government, which had a real claim to Kentucky's allegiance, had acted liberally in respecting the neutrality, in form at least; while the message of Davis, that he would respect the neutrality of Kentucky "so long as the people of Kentucky maintain it themselves," was a discourteous piece of arrogance to those who were struggling for peace. The tone of the Southern States in assuming that Kentucky belonged to them, but was kept in her relation to the Union by fear, was deeply offensive to the State pride.

In this position of affairs the Confederates made the first distinct trespass on the neutrality proclamation. Major-General Leonidas Polk, a nephew of President Polk, a graduate of West Point, then a bishop of the Episcopal Church, was commander of the Confederate forces of Tennessee. Desiring to strengthen his hold on the Mississippi, he invaded Kentucky, and took up a strong position on the bluffs that command the stream at Columbus and Hickman, near the Tennessee line. This important step was taken on September 3d. At the same time General Zollicoffer invaded the south-eastern corner of the State, establishing his lines near Cumberland Gap.

The first action of the State, in view of these invasions, an ominous act indeed, was a vote passed in the legislature that the United States flag be hoisted on the capitol at Frankfort. This step was taken by the house of representatives by a vote of 77 to 20. On the 10th a State rights convention for Kentucky was held at Frankfort; they passed a resolution in favor of the dis-

persion of the Federal camps in Kentucky, promising, when that was done, to assist in driving the Tennessee troops from the State.[1]

It is maintained by many Confederate sympathizers that the violation of the State's neutrality came first from the Federal authorities. They cite the recruiting at Camp Dick Robinson as evidence in proof of their assertion. It is hardly worth while to debate this question of precedence, when the action of both sides was so nearly simultaneous, and only accomplished the inevitable overthrow of the neutrality of the Commonwealth; still, after a careful review of all the records, the present writer has been driven to the conclusion that the actual infringement of the neutrality proclamation was due to the action of Polk and Zollicoffer, and that this simultaneous invasion of the State at points some hundred miles apart, shows that the rupture of Kentucky neutrality was deliberately planned by the Confederate authorities. Ill as it turned out for their cause, it gave them their last chance of getting political possession of the State.

On the 11th, after much private deliberation, the legislature, by a vote of 71 to 26 in the house, and by 25 to 8 in the senate, resolved "That Governor Magoffin be instructed to inform those concerned that Kentucky expects the Confederate or Tennessee troops to be withdrawn from her soil unconditionally." This resolution was vetoed by the governor, but immediately passed over the veto by an overwhelming majority.

Immediately after General Polk's invasion Grant's army moved across the Ohio and took up a position at Paducah. It was moved in the house that the gov-

[1] Collins, i. 93.

ernor demand the removal of the Federal as well as the Confederate troops. This was refused by a vote of 29 to 68.

This vote may be regarded as a final commitment of the State to a policy of complete allegiance to the Federal government. On September 18th, the Committee on Federal Relations brought in the following resolutions:[1] —

"Whereas, Kentucky has been invaded by the forces of the so-called Confederate States, and the commanders of the forces so invading the State have insolently prescribed the conditions upon which they will withdraw, thus insulting the dignity of the State by demanding terms to which Kentucky cannot listen without dishonor, therefore:

1. "*Be it Resolved by the General Assembly of the Commonwealth of Kentucky*, That the invaders must be expelled. Inasmuch as there are now in Kentucky Federal troops assembled for the purpose of preserving the tranquillity of the State, and of defending and protecting the people of Kentucky in the peaceful enjoyment of their lives and property, it is,

2. "*Further Resolved*, That General Robert Anderson, a native Kentuckian, who has been appointed to command the department of the Cumberland, be requested to take instant command, with authority and power from this Commonwealth to call out a volunteer force in Kentucky, for the purpose of expelling the invaders from our soil.

3. "*Resolved*, That in using the means which duty and honor require shall be used to expel the invaders from the soil of Kentucky, no citizen shall be molested

[1] See Collins, i. 93.

on account of his political opinions; and that no citizen's property shall be taken or confiscated because of such opinions, nor shall any slave be set free by any military commander, and all peaceable citizens and their families are entitled to and shall receive the fullest protection of the government in the enjoyment of their lives, their liberties, and their property.

4. "*Resolved*, That his excellency the Governor of the Commonwealth of Kentucky be requested to give all the aid in his power to accomplish the end desired by these resolutions; and that he call out so much of the military force of the State under his command as may be necessary therefor, and that he place the same under the command of General Thomas L. Crittenden.

5. "*Resolved*, That the patriotism of every Kentuckian is invoked and is confidently relied upon to give active aid in the defense of the Commonwealth."

These resolutions amount in fact to a declaration of war on the Southern Confederacy. They were vetoed by the governor, who remained in sympathy with the secessionist movement, and were at once passed by an overwhelming majority. This vote definitely closes the effort to maintain the State in a neutral attitude.

Before passing to the consideration of the next act of this political drama, it will not be amiss to consider certain features of the rapidly changing politics of the time.

The curious feature in the behavior of Kentucky at this time is the simple, indeed artless, exhibition of human nature in the whole transaction. It was a singularly popular movement. Generally in the action of large communities in time of such trial the course of a State is dictated by certain leaders, — deliberative

statesmen who direct the course of events in highly artificial channels, so that there is a cold, disciplined quality in the results; or, if this is wanting, it is because some fierce outburst of passion has carried the people onward into headlong ruin. I do not know where else to find the likeness of these political movements of Kentucky, so deliberate, so dignified, and self-respecting as they were.

The most singular thing about the movement was that the feeling, though intense, was at this time remarkably free from the commonplace bitterness that marks the earlier stages of most civil wars. While the people were falling asunder, going each to their places of arms, there were no outrages, no combats between the passing parties of men who were to be foes. On the contrary, it is doubtful if in years the State had been as free from all forms of disturbance as in this time of parting. A great sorrow fell upon the land. It was common enough to see strong men weeping for the woe that was to come upon their beloved State.

One of the most painful features was the sundering of households that now took place. When the division came, very often the father went one way, the sons another. Usually the parting lines in civil wars are drawn by neighborhoods and clans, but in this battle the line of separation went through all associations whatsoever. Families, churches, friendships, seemed to have no influence whatever on the way men went. It was the most singular evidence of independent mindedness that is recorded in history.

To the considerate observer, the most interesting feature in this period was the absolute forgetfulness of the moneyed value of the slave. Nearly one fourth the

estimated value of the State was in slaves, yet this interest never seemed to enter into the minds of men; we never hear of it in the public debates, and it was equally absent from the private talk of the times. There was no movement to remove the slaves southwards where they still had their price. There was the same absence of desire to secure other property. There was no drifting out of capital or population from the State, no effort to convert real estate or chattels into money, such as has so often in other countries marked the beginning of perilous times. This, more than anything else, shows the intensity of the moral shock that was brought upon the people by the swift and appalling changes of the times.

There have been many who have from afar flippantly criticised the behavior of the Kentuckians in the outset of the Civil War, who have attributed their slowness of action to the calculation of self-interest, or their unwillingness to enter upon the combat which was before them. The truth is the Kentucky people had a clearer prescience of what this war would mean than the other parts of the Union. The traditions of their firesides were full of war memories; there was scarcely a family where there was not some one who could remember the kindred who had fallen on the numberless fields where the children of Kentucky had bled. There were men still living who remembered the days of St. Clair's defeat, and the Raisin massacre. There is nothing more pathetic than the appeal that the women of Kentucky made in 1861 to the legislature of the Commonwealth, to guard them from the calamity of Civil War by maintaining neutrality. If the people of the other States had been as well able to perceive the awful seriousness

of this crisis as were those of Kentucky, there would have been no war.

When a historian arises who can treat this part of American history with the calm philosophy it deserves, we may be sure that the effort of Kentucky to stay the tide of civil conflict, and to decide the difficulty by statemanship rather than by arms, will not be set down to her discredit, but will appear as the most remarkable, as well as the most creditable, spontaneous political action in the history of that great struggle. It is not too much to say that it will be regarded as one of the best evidences of a general political capacity that this country has yet afforded.

CHAPTER XVI.

FROM THE ABANDONMENT OF NEUTRALITY TO THE FALL OF FORT DONELSON.

THE suddenness of the final determination in the matter of neutrality was at once fortunate and unfortunate for the State. It made it impossible for the Confederacy immediately to seize upon its strong points, and thus forced the war back so far south, that for the time the territory of the Commonwealth was safe from invasion by those who were now the enemies of the State. At the same time it left the State in a very defenseless condition; the greater part of the arms that had been purchased by the legislature went into the hands of the State Guard. This organization contained at this time ten thousand men, and was an admirably selected and tolerably efficient body of troops, under the command of well trained officers, some of them from the West, Point Academy, others from the State military school. Many of them had seen service in Mexico. It had long been known that the greater part of this body of troops was in hearty sympathy with the disunion element, yet it was hoped that their States rights motives would keep them true to the Commonwealth.

No sooner had Kentucky cast in her lot with the Federal government than almost all of the companies of the State Guard marched from the State and joined

the Confederate army. Its commander-in-chief, Buckner, resigned his position and repaired at once to Camp Boone, Tennessee, where he was joined by the regiment of Colonel Roger Hanson, by the battalion of Lloyd Tighlman, and by many separate companies of the same force. They then became the 2d, 3d, 4th, and 5th Kentucky regiments of the Confederate army. These men of the State Guard were not the first Kentucky troops that entered the service of the Confederacy. In June, 1861, Colonel Withers began to recruit a regiment for that service, selecting Camp Boone for his rendezvous. The stimulus given to the Confederate hopes by the victory of Bull Run sent a large number of recruits to this camp, so that even before the State had determined against the South the 2d Regiment of Kentucky Confederate Infantry was organized, as early as July 17th.[1]

John H. Morgan's company and other organizations passed from the State on other lines of march. Thus a force which was designed to protect the State, which was armed at its expense and sworn into its service, abandoned its flag as soon as the Commonwealth finally determined to respect its Federal obligations. Nothing shows better the intensity of the sympathy with the Southern movement that animated the secessionist minority of Kentucky. Nothing shows so well that the essential motive of the rebellion had not come from the States rights motive. The men and officers of this State Guard were as honorable men as the Commonwealth ever had; yet in this moment of excitement they cast aside all the bonds of allegiance to the soil

[1] See Thompson's *History of the 1st Kentucky Brigade*, p. 51 *et seq.*

that bred them, and with the training and in part with the weapons that the State had just given them for her defense, repaired to the camp of those who were now her declared enemies.[1] This was the only incident in the days of parting on which we can look with grave regret. Knowing as the present writer does the soldierly spirit that animated so many of the members of the State Guard, he believes that they, too, must share in the feeling that they then did what they should not have done. A few officers and some men of the State Guard did not take part in this movement. Thomas L. Crittenden, the brigadier-general of the Guard, remained, and afterward took service in the Federal army, but the State Guard as a whole went over to the Confederacy. The Home Guards remained, and took a brave but not always admirable part in the subsequent history of the war; they were not well organized; their commanders were less able soldiers than those of the seceding State Guard.

Although the secession of the State Guard cannot be defended by those who dispassionately examine it, much can be said in its favor. In the first place, it was in the power of the governor and the commanding officer of the Guard to have precipitated the State into secession in the spring of 1861. Some of the hot-heads of the party desired to have this Guard, or the most decidedly secession of its commands, assembled in Frankfort at the time of the meeting of the legislature during the month of May. The presence in the capital of this force at that time would probably have driven the State

[1] Only a portion (how large cannot be determined) of the State Guard took their arms with them when they left the State. Probably the larger part went out unarmed.

into a nominal secession, which would have been as effective for the Southern cause as was the action of Tennessee. To General Buckner, the commander of the forces, to John C. Breckinridge, who still clung to the hope of some accommodation, and to Governor Magoffin, who, be it remembered, in all cases opposed a severance of the State from the Union without what seemed to him due forms of law, we owe the fact that this well trained Guard was not made an instrument of great danger to the State.

It would require many pages to give even a list of the prominent citizens of the State who passed its borders on their way to the Southern army. In the month following the abandonment of neutrality the roads were filled with the hurrying throng of horsemen and of wagons conveying munitions, on their way to the Confederate camps that had been pitched beyond the southern and eastern borders of the State for their reception. The Federal government pressed what troops were available for service into the State, but for a month or more the central part of the Commonwealth was held by the recruits that had been gathering at Camp Dick Robinson and by the companies of Home Guards. The process of enlistment of the Federal regiments went rapidly forward, but the material fit for immediate service had left the State to return as invaders.

If the Confederate army that had gathered around the seceded State Guard had believed that the people were with them and had been tolerably determined in their resolution to possess the Commonwealth, they might have at this time seized Louisville, and perhaps occupied the line of the Ohio. It is a valuable com-

mentary on the assertion that Kentucky was at heart with the Confederacy, that with a force of several thousand men, whose discipline was much above that of any force that could oppose them, and which certainly equaled the Federal troops that could at this time have been brought to arrest their advance to the northward, General Buckner's return to Kentucky, he knew so well, was made with extreme caution.[1]

This advance of Kentucky troops against their own State was begun even before the position of neutrality was overthrown. But this movement was extremely slow and circumspect. On the 20th Buckner was in possession of the line of the Green River, a strong strategic position defending Nashville. His scouts came as far north as Rolling Fork Station, about forty miles south of Louisville, breaking up the line of the Louisville and Nashville Railway, so that it could not be used by the Union forces. On the 21st of September he destroyed the locks and dams on the Green River, so as to prevent a movement on his flank by Grant's army, then in Western Kentucky, which he feared might come upon him by boats by way of that river. At the same time a Confederate army, under General Zolli-

[1] On September 10th General Albert Sydney Johnston, lately in command of the United States forces on the Pacific, by birth a Kentuckian and well acquainted with the State, commanded the Confederate department which included Kentucky. On the 17th of September, the day before the State abandoned its policy of neutrality, General Johnston ordered General Buckner to enter the State under the following instructions, namely: —

"You will, in order to cover the northern line occupied by the Confederate army in this department, and threatened by the army of the United States, concentrate your command at Bowling Green, Kentucky, and secure and hold this important point in our line of defense." See *The Life of General A. S. Johnston*, by W. P. Johnston, New York, 1880.

coffer, was moving on Central Kentucky by way of Barbourville, in the eastern part of the State.

The first recorded combat of the war in Kentucky was between the advanced guard of this force and a body of Home Guards. It was termed a "spirited engagement," with no great loss, but it served to show the Confederate armies, if indeed they needed the information, that the armed populace of the State would make a stubborn resistance to their projected invasion. The departure of the State Guard, and the hegira of secessionists that accompanied it, had left the people substantially united in their determination to combat the Confederacy. This united resistance did much to give the Confederate northward movement a pause, which made it afterward impossible for them to secure possession of the State. Kentucky was now foreign and hostile ground to them. Their movements in it were received much as they would have been in Ohio or Indiana.

When General Johnston made his well-considered movement upon Bowling Green it was with the hope that his presence within the State would bring great numbers of recruits to his banners. Despite stirring proclamations the people received him sullenly; and with a force that on October 28th was, according to General Johnston's own memoranda, twelve thousand strong, quite equaling the Federal force which could have been brought to resist him, he did not venture to move beyond his fortifications. General Johnston was a brave and enterprising soldier, and if it had not been for his conviction that the Kentucky people were not as much in sympathy with the South as had been supposed, he would have moved forward with more decision. In a

letter to the Confederate War Department, dated October 22, 1861, he says: —

"We have received but little accession to our ranks since the Confederate forces crossed the line (*i. e.*, the line dividing Tennessee and Kentucky); in fact no such demonstrations of enthusiasm as to justify any movements not warranted by our ability to maintain our own communications. It is true that I am writing from a Union county, and it is said to be different in other counties. They appear to me to be passive, if not apathetic. There are hundreds of ardent friends of the South in the State, but there is apparently among them no concert of action. I shall, however, still hope that the love and spirit of liberty are not yet extinct in Kentucky." [1]

It is evident that the calm, intelligent mind of General Johnston, already saw through the errors concerning the real attitude of Kentucky which the imaginations of the Confederate sympathizers had created.

On the 23d of September the military board was given power to demand the return of arms from all associations that were suspected of disloyalty. This was a provision to destroy the suspected remnants of the State Guard, which were still within the State. The military board was now provided with a large amount of money. In addition to the appropriation of $1,000,000 previously made, the legislature, on the 23d of September, gave the board authority to borrow another $1,000,000, and on October 1st $2,000,000 more were put at their disposal for raising and arming troops. By a call of September 25th, the Commonwealth demanded

[1] See *Life of General A. S. Johnston*, by Wm. Preston Johnston, p. 351.

of its people forty-two thousand troops, or one man for each twenty-one of the whole white population, — nearly one half of those remaining in the State who were fit to bear arms. The legislature also provided that the executive departments might remove their offices beyond the reach of the enemy; and that no liquor should be sold within five miles of any military camp. These resolute steps mark the earnestness and decision with which the Commonwealth entered on the war.

These appropriations of money and of men were far ahead of the preparation that the State was called on to make. The appropriation of four millions of dollars from her slender means, and forty thousand from the possible eighty thousand able-bodied white men left in the State, show that she alone of all the American Commonwealths saw the magnitude of the struggle on which she had entered. It should be noticed that these steps were taken in the dark and gloomy days that followed the battle of Bull Run, when the chances seemed all against the success of the Federal arms. Nowhere in the Commonwealth did that disastrous and dispiriting reverse, and the subsequent trying inaction of the Northern armies, lead to any hesitation or temporizing. The State government went forward with an admirable courage in the path they had chosen.

A most interesting and instructive feature of the time is the singular determination with which the people clung to their constitution and the laws, even when compelled by the needs of self-preservation to disregard them. A capital instance of this is seen in their action with reference to their governor. Although Governor Magoffin was known to be in sympathy with the rebellion, and desirous of leading the State out of the Union; although

he vetoed nearly every measure of protection that was passed by the legislature, no effort was made to displace him by impeachment, or in other ways to drive him from his post. He was closely watched, and in fact was guilty of no act of disloyalty. His vetoes were within his constitutional right. They were in succession overborne by a large majority, and in each instance, be it said to his great credit, he at once did his duty as an executive officer in giving effect to the laws which he had conscientiously vetoed. For eighteen months the legislature bore with this extraordinary relation to the chief executive officer of the Commonwealth because it was not in their power legally to dismiss him. Throughout they gave him the formal respect that his station demanded, and when his own slow won conviction of his false position led to his resignation, they accomplished the change of officers in a legal and dignified manner. This commendable course should be borne in mind until we have considered the critical attitude which the legislature was in the end compelled to take to the Federal usurpations of authority. This determined and instinctive clinging to the letter of the law is the key to many important actions in the subsequent years of the war.

This regard for the laws was shown in many other ways, but only one other instance need be given. In order to afford every facility to the Federal commanders the legislature passed, on October 1st, a bill which "required information, surveys, maps, and drawings to be given to officers of the army upon application therefor without delay." This bill was vetoed by the governor on the ground that private property was guaranteed from seizure without the process of law. The legisla-

ture instantly receded from its action, there being but one vote in favor of passing the bill over the governor's veto. This was the only veto of the governor that received this treatment.

It was a great good fortune for the Commonwealth in this critical period, that the Federal command was, at the request of the legislature, given to General Robert Anderson, well known for his defense of Fort Sumter. General Anderson was born in the State, and his extensive family connections gave him a better understanding of the motives of the people than any other commander could have had. He was in perfect sympathy with the determination of the leaders of that party to maintain the civil law as far as it was possible to do so. On September 24th, he issued the following proclamation: "The commanding general, understanding that apprehension is entertained by citizens of this State who have hitherto been in opposition to the policy now adopted by this State, hereby gives notice that no Kentuckian shall be arrested who remains at home attending to his business, and does not take part, either by action or speech, against the authority of the general or State government, or does not hold correspondence with or give aid or assistance to those who have arrayed themselves against us as our enemies." [1] At the same time the legislature refused to pass a bill making all those who joined the Confederate army or acted with the Confederacy incapable of taking any estate in Kentucky by bequest, descent, or distribution. The basis of their refusal was that this was contrary to the spirit of the constitution.

The difficulty of maintaining the activity of the civil

[1] Collins, i. 94.

law in this period of conflict was made the greater by the action of the Home Guards, a force that could not be kept in proper control. These partisan troops made many raids upon persons known to be in sympathy with the South. The whole experience of the Civil War with these detached localized troops served to show that they were an element of great danger to the civil government of the State. The rapid organization of the regular troops of Kentucky fortunately made it possible in time partly to do away with this mediæval type of soldiery, but the local disturbances that they bred were of more permanent damage to the State than all the large operations of war that were ever carried on within her borders. Their deeds of violence bred a crop of hatreds and blood feuds in which hundreds of lives were sacrified, and certain counties made almost desolate for years after the close of the war. Perhaps the best military lesson taught by the rebellion is that the middle age system of partisan commands is utterly unfit for the warfare of the day, and a source of great danger to any State which is trying to preserve the precious elements of its social system in a time of civil war.

The organization of the State troops for service in the Federal army now became a matter of the first importance and of extreme difficulty. The governor and his cabinet were committed to an opposition to this process. Although the recruiting camps were overflowing with men, they were not organized and mustered as rapidly as they should have been. Fortunately the resignation of the adjutant-general, Scott Brown, was brought about, and in his place the governor consented to appoint General John W. Finnell. This gentleman

was extremely well fitted for the arduous duties of his place; of untiring energy, strongly devoted to the cause of the Union, and skillful in his dealings with men, he soon proved of incalculable value to the State. Before the end of the month nearly twenty thousand Kentuckians were enlisted and fairly ready for the field. The newly organized regiments from Ohio, Indiana, and the other Northern States, brought up the Federal force in the State to about forty thousand men.

This support came none too soon. Heavy columns of Confederate troops were endeavoring to make their way into the State before the Federal government could fix itself in advantageous positions. Their armies held nearly all the district south of the Green River, and were pushing their detachments towards the central and northern parts of the State. On the 21st of October, General Zollicoffer, a trained soldier, of a distinguished Swiss family, though of American birth, in command of seven thousand troops, endeavored to push his way along the "wilderness turnpike" to Central Kentucky. He was met at the Wild Cat Mountain, near London, by the 7th Kentucky Regiment under Colonel Garrard. Colonel Garrard's force acted well in its first action; they resisted the Confederate advance until they were reinforced by General Schoepff in command of six regiments of Ohio, Indiana, and Tennessee troops, as well as by Wolford's cavalry. The Confederates, finding themselves in face of an equal force occupying a very strong position, retired after a loss of thirty killed and about one hundred wounded; the Federal loss was less.

This action, though it did not deserve the name of a battle, was worth a good deal as a source of inspiration to the raw levies of the State. There was at this time

a common notion that the emigration of some forty thousand of the natural leaders and fighting population of the State had left it with little material that could be made into good soldiers. Even General Sherman, who had recently replaced General Anderson, took at first a hopeless view of the military situation. He reported to Washington that the young men of Kentucky had generally joined the Confederate army, and that the Union men were aged and conservative, and would not enlist to fight against their Southern kindred. He assured the government that few Union regiments could be raised in Kentucky. How easy it is to misjudge a people is shown by the fact that Kentucky's quota of troops was always full, and that despite the fact that over forty thousand of her young men did go into the rebellion, she raised all the men that fell to her share almost *without bounties*, and practically *without a draft*, a patriotic record that was not exceeded, if it was equaled, by any State in the Union.

The remainder of the year 1862 was spent in preparation for movements that were to drive the Confederates from Kentucky. There were many small actions between the outposts of the two armies, only two of which deserve particular mention. On November 8th a Confederate force of about one thousand men, under command of Colonel John S. Williams, well known for his gallant service during the Mexican War, encountered a Federal force of nearly thrice their number under General Nelson at Ivy Mountain, on the head waters of the Kentucky River, near the Virginia line. Unhappily for their plans, the Confederates had chosen a position where their fire was downwards, and therefore entirely ineffective; so, after a stubborn forest fight of over an

hour, they were driven from the field. On December 17th the Confederates were defeated in an action of a considerable nature near Munfordsville, where the Louisville and Nashville Railway crosses the Green River. These, and numerous other slight engagements, were useful for the training of the Federal troops, though they had no strategic value.

Mingled with such endless skirmishes and cross-roads battles we find a singular incident which throws some light on the political projects of the Confederate government. It shows very clearly how important the possession of Kentucky, even in name, appeared to it, and how much they were willing to ignore the facts of the political position of Kentucky in order to have some apparent claim upon the soil. It should be premised that the secession element had convinced themselves that the State was in some obscure way held under Federal domination, and that if they could have a plebiscit for or against secession they could win the State to their side. At this time the Confederate armies held about one tenth the area of the Commonwealth, a region lying south of the Green River and east of the Cumberland; within this region they were closely hemmed; their forays beyond their lines having been in all cases easily beaten back. Yet on the 18th of November they called what they were pleased to term a "sovereignty convention," which sat for three days, and claimed to have representatives from sixty-five of the counties of the State. These representatives were self-appointed, or chosen by the troops from Kentucky then in the Confederate army. In this singular assembly a declaration of independence and an ordinance of secession were passed;[1]

[1] See Collins, i. 97.

a full list of State officers was elected. At the head of this list was Colonel George W. Johnson, of Scott County, as provisional governor, and at the foot, W. N. Haldeman, of Oldham, was chosen to be State printer. Three commissioners were sent from the convention to Richmond, Va., to ask the admission of the State into the Confederacy, and on the 9th of December that body went through the process of admitting Kentucky into the Southern Union. When we recall the year of skillful, devoted labor these gentlemen who managed the convention had just given to carry the State into rebellion, an effort in which they were favored by the possession of the State government and a large share of the sympathies of the people, it seems incredible that they should of their own will have undertaken this pretense of legislation. It has been conjectured that the Confederate government needed the appearance, if they could not get the substance, of Kentucky support, and that this performance was gone through with under instructions from the Richmond government.

This, however, is not the case. The writer has been assured that the project came from the brilliant and fertile mind of Mr. G. W. Johnson, who was elected the provisional governor. It is said that to his great powers of persuasion was due the final consent of Generals Johnston, Preston, and Breckinridge, who at the outset vigorously opposed the project. The arguments of Mr. Johnson have not been published; it is likely, however, that he saw the need of satisfying the Kentucky Confederate troops that they were acting with, and not against, their State government, and that he deemed this semblance of such government, the best at the moment attainable, better than nothing at all.

There was much reason in this judgment. It, however, proceeded on the assumption that the Confederates were to continue their advance into Kentucky.

In a few weeks this "provisional government" gave evidence of its eminently temporary character by leaving the State in company with General Johnston's army. For nearly two years they waited over the border, like exiled Stuarts, for the time of coming to their own. Their gallant leader, Mr. Johnson, governor, met a soldier's death as a private, in the ranks of the 4th Kentucky Confederate regiment, at Pittsburg Landing. The other officers watched for a chance that came, but for one hour, when they might take their places in the capitol of the State;[1] still, during the whole war, the pretense that Kentucky was a Confederate State was steadfastly maintained. There were senators and representatives from the State in the Confederate Congress elected by the soldiers in the field. Few more curious instances of a political pretense can be found in history. It is impossible to see where was the profit of this action; so far from gaining sympathy for the rebellion in Kentucky, it tended rather to discredit the Confederacy among its people.

During the whole of the year 1861 the Legislature of Kentucky was in intermittent session, the adjournments being for only a few weeks at a time; their attention was given to the work of watching their governor, who, be it said, acted in a perfectly honorable manner in the discharge of the duties committed to him, and to a solicitous care that the machinery of the civil law was kept in motion as well as it could be in a time of war. Their anxious efforts to preserve the people from the

[1] Vide infra, p. 303.

exactions of military commanders is worthy of great commendation. The Federal government, out of gratitude for the allegiance of the State, was naturally disposed to give way to their suggestions, and for a long time, indeed, until the war became much embittered, there was little severity or lawlessness in the action of the Federal commanders. The only considerable difficulty was with General Nelson, himself a Kentuckian, but a man of a singularly furious nature, who persisted in the summary arrest and deportation from the State of many citizens whom he suspected of sympathy with the Confederacy. General W. T. Sherman, who for a while commanded the forces in the State, and all others in command in the first year of the war in Kentucky, except General Nelson, who, though Sherman's subordinate, seems never to have been in any proper sense under his command, seconded the protests of the legislature against arbitrary arrest. General Sherman stated that the removal of prisoners beyond the State, except those held as spies and prisoners of war, "without giving them an opportunity for trial by the legal tribunals of the country, does not meet my approval."

Long after the legislature had demanded the resignations of their senators at Washington, the United States senate expelled John C. Breckinridge, who had been for some months with the Confederate army. The legislature chose as his successor Garrett Davis, an able and loyal man, who had previously held a seat in the lower house of Congress.

In January the Confederate army, under General Johnston, which closely pressed and gravely threatened Western Kentucky and Tennessee, sought to create a

[1] See Collins, i. 97.

diversion by a movement on the Federal lines in the eastern part of the State. General George B. Crittenden, the Confederate commander, held an entrenched camp at Beech Grove, on the north bank of the Cumberland, in Pulaski County. A considerable force, under General George H. Thomas, was marching upon his position, but had not concentrated for an attack. General Crittenden sought to beat his enemy in detail before the impending concentration was effected. Leaving his camp with a force of about five thousand men, on Sunday, January 19th, before day, General Zollicoffer, who commanded under Crittenden, struck the advanced part of this Federal force under the command of General George H. Thomas. Thomas had with him the 4th Kentucky Infantry, a portion of the 1st Kentucky Cavalry, and a regiment each from the States of Ohio, Indiana, and Minnesota, a force but little less than General Zollicoffer's attacking column. Then began the most hotly contested battle that had yet taken place in the Mississippi Valley. For some hours the fight went on with varying fortune, but with no clear indication of the result, when the overwhelming reinforcements received by the Federal army and the death of Zollicoffer by a pistol shot from Colonel Speed Fry, who commanded the 4th Kentucky Infantry, decided the action. The Confederates were forced to their intrenched camp, from which they managed to escape across the Cumberland River during the night, by boats which they burned behind them, with a total loss of about five hundred men. The evacuated camp was found to contain a large amount of artillery, munitions, and many stores.

This blow removed for a moment the danger of in-

vasion in Eastern Kentucky. It was several months before the Confederate army again gathered force and courage to make another attack upon the State by this eastern line. This battle of Mill Spring, or Logan's Cross Roads, though the total of killed and wounded did not exceed six hundred, was a remarkably well contested fight. The men on both sides were entirely unused to war, yet they showed the endurance of veterans.

In the winter of 1861–62 the success of General Grant's movement against the fortifications by which the Confederates expected to secure control of the Tennessee and the Cumberland rivers had an important influence on the Confederate plan of campaign. The organization of the "provisional government" at Russellville, and the rapid accumulation of troops and munitions at Bowling Green, showed pretty clearly that the Confederates had the military capacity to foresee that the possession of Kentucky was absolutely necessary to the prosecution of any successful campaign in the valley of the Mississippi. A glance at a map of the United States will show that this State cuts deeply into the area of the South. If the Confederacy could but once seize upon it and hold the borders of the Ohio River, they would have the only strongly defensible line of the West. They could then hope to transfer the war to the very frontier of the South, or even bring its burden upon the Northern soil. The Ohio River line is very defensible. There are very few fords practicable for an army even in the lowest water; there were then no bridges. With the shipping on that river destroyed, and with strongholds at a few points on the line of the river, they would have had a position even more secure than that they held in Virginia. Their

plan evidently was to make a strong push for the possession of this Ohio line. They would then have at their back the fertile lands of Kentucky, richer in grain and horses and mules than any other part of the South, — the best fitted to maintain an army of any State in the Union, — together with a population of a million people, from which they could hope to draw a large force of men. The neutrality attitude of Kentucky had deprived them of their chance to capture this ground with the sudden enthusiastic rush that secured them Virginia; the obstinate resistance that they had met in their first efforts to push flying columns into the northern part of the State during the autumn of 1861 made it evident that they would have to accumulate a large force of men before this campaign could be undertaken with any prospect of success; so it was midwinter before they were ready to act.

In the mean time they were threatened by the way of the Tennessee and the Cumberland rivers, which streams made their position open to a turning movement from the west. They appear to have neglected to strengthen the fortifications on these waters in any effective way. The little that was known of the Federal gunboats led the Confederate soldiers to underestimate their ability to develop any formidable attacking qualities; so the fortifications on these rivers, though strong enough to resist any assault from the Federal armies, fell easily before a combined naval and military force. The Confederate commanders do not seem to have apprehended the very great importance of these positions, though this should have been clear to them.

The first great misfortune to the Confederate arms was in the loss of Fort Henry, on the Tennessee River,

just south of the Kentucky line. This fort was commanded by General Lloyd Tilghman, who was an officer of the Kentucky State Guard, and had hastened into the army of the Confederacy as soon as the State called upon him for the service he had engaged to give. He surrendered his post after a few hours' bombardment, without receiving any assault. This placed General Grant's force well on the flank of the column at Bowling Green, but as the Cumberland River was still held by the Confederates, that force was not yet in serious danger. There was still a chance for its able leader, General Albert Sidney Johnston, to make his proposed dash for Louisville and the line of the Ohio, provided the Cumberland River was firmly held; but before this movement could be undertaken, Grant's fleet and army were thundering at the defenses of the Cumberland. General Johnston was not without a clear discernment of his position; he knew that this critical point should have been held at all hazards, yet it was inefficiently defended. Only a week after the fall of Fort Henry Grant's forces were before the lines of Fort Donelson. The action began on the 12th of February, and lasted five days. The Confederates in this fort were under the command of Generals Floyd and Pillow. General Buckner, lately in charge of the Kentucky Guard, was the third in command. The total Confederate force available for the defense of Donelson amounted to about fifteen thousand men, who occupied an exceedingly strong natural position, which had been made stronger by an abundant expenditure of engineering skill.[1] Grant's force was nearly twice as numerous as that of the Confederates, but the strength of the

[1] See *Life of Albert Sidney Johnston*, p. 443.

Confederate lines made the conditions of the struggle not unequal. The Confederate artillery succeeded, in the end, in crippling all the gunboats before they had destroyed the defenses of the stronghold. It then remained for the Federal army to carry the position by assault.

The Federal forces essayed several assaults, but were easily beaten back with severe loss. This, in connection with the successful combat with the gunboats, would have encouraged a well trained soldier to hold his ground with the hope that at the right moment he might take the offensive against his enfeebled antagonist. But Floyd, though brave enough, was not made of war-proof material. He had been charged by General Johnston under any circumstances to save his army, so he determined to cut his way out, and escape with his force to Nashville while it was possible. A sortie was determined on and abandoned, and finally replanned and successfully executed with great gallantry. The Federal line gave way, was thrown back like a door on its hinges, and the way of escape for the Confederates lay wide open. An unfounded alarm concerning Federal reinforcements caused Floyd to return to his intrenchments after he had practically attained the object of his sortie. His troops had been worn out in winning their profitless victory, and were benumbed by a fierce winter's storm. Still they had not lost more than one in ten of their numbers. It was determined to surrender after a portion of the army had been passed over the river to the uninvested side of the fortress, and another part escaped up the stream on a steamer. General Buckner, to whom the command had been turned over, capitulated to General Grant. Soldiers of the Commonwealth,

both Confederate and Federal, were engaged in this battle, — two regiments on each side, — and did their share of the fighting. The Confederate loss in killed and wounded was 1,338 men, or about one tenth their force, and 8,000 prisoners. The Federal loss by wounds was about the same.

It is the general opinion of military men that the defense of Fort Donelson, though obstinate, was not as desperate as the exigencies of the Confederate cause demanded. The chance of ultimate Confederate success in Kentucky depended on the issue of this defense more than it ever depended on any other battle in the Mississippi Valley. On it hung also the power of the Confederacy to control the State of Tennessee, and its chance of getting possession of Kentucky. It was for the Southern cause the most serious action of the war. The commander should have sacrificed everything for the reasonable hope that he might in the end have worn out the force of his enemy. If there ever was a position in which a desperate defense was called for, it was at Fort Donelson. But there was a singular lack of determination in the resistance that the Confederacy made at this stage of that western campaign. On the 14th of February, even before the fate of Donelson was fully decided by the issue of battle, General Johnston, accepting defeat as inevitable, began the evacuation of Bowling Green. The Confederate army was compelled to destroy the stores accumulated for the Kentucky campaign, necessarily abandoned on the fall of Donelson. On the 27th of the month the Confederate position at Columbus, the occupation of which by General Polk had ended the neutrality of Kentucky, was evacuated.

These movements cleared away the first invasion of

Kentucky. There were now no organized bodies of the enemy within its limits, nor for months was its peace disturbed except by raids of the Confederates.

This failure of the Confederates to obtain possession of Kentucky at the outset of the war was in good part due to their own extreme caution. This caution is very instructive. It will be noticed that the Confederate army consisted in large part of Kentuckians, including the most enthusiastic and soldierly part of the population; it was commanded by men like Johnston, Buckner, Crittenden, and Tilghman, who were intimately acquainted with the State and with the temper of the people. In their public utterances, the Confederates always claimed that Kentucky was in thorough sympathy with their cause. Why, then, we may ask, did they not at once push north and rescue their State from Federal domination? When Buckner moved from Nashville to Bowling Green, there were few troops in Kentucky except those native to the State; if he could have counted on the sympathy of the population, he would have had no difficulty in overrunning the State, for the men whom he received as recruits would have been as fit for service as the raw Federal levies. Their action makes it evident that the Confederate leaders did not believe that Kentucky would receive them with open arms. If they had any doubts on the subject, the spirited battles between their scouting parties and the citizens cleared their minds, and showed them that it would require about the same force to invade Kentucky as it would to march into the States north of the Ohio. It is likely that this view of Kentucky's position did much to hinder the movement from Bowling Green to the northward.

The belief that Kentucky was with them in spirit, though not held by those who knew most of the matter, grew to be a mania with Confederate authorities at Richmond. It resembled the Northern idea of the immense Union interest in the South, or the longing of the negroes to take active measures to secure their freedom. Such delusions, born of desire, are an accompaniment of all civil wars; these wars are always fought in a glamour, a sort of moonshine of sentiments and prejudices, that change the facts out of their semblance of reality. It is necessary to wait until all these delusions have cleared away before the truth can be seen.

The Confederates while at Bowling Green had learned a part of their lesson concerning the attitude of Kentucky. They were even better advised by the results of Bragg's subsequent campaign; but with many the delusion that Kentucky was at heart a Southern State still remained alive.

CHAPTER XVII.

FROM THE EVACUATION OF KENTUCKY IN FEBRUARY, 1862, TO THE BATTLE OF PERRYVILLE.

THE process of organizing Kentucky troops in the first few months of the period following the overthrow of neutrality went on with very great rapidity. Although the Commonwealth lost the first flower of her military material by the secession of the greater part of the State Guard, for with them went those young men who had been selected to form the first levy of the State, such was the energy of the work of organization, that on February 18th, five months from the time she cast in her lot with the North, the State already had in the Federal army 24,026 infantry, 4,979 cavalry, and 198 artillery men, — a total of 29,203 men. This does not include a large force of Home Guards, — men who were under a certain discipline, and in a way doing valuable work in resisting the small cavalry forays which the Confederates were constantly making into the State. In this five months, despite the depletion of the population from the going south of a force that may be estimated at 35,000 men, the State had proportionately more soldiers in the field than any other State within the Federal Union.

In its repeated sessions the legislators gave little attention to anything but the war; still some of the legislation is interesting, as showing that they found time

for other considerations. In February, during the time when the battles of Forts Henry and Donelson were being fought, they passed an important bill concerning the organization of Transylvania University, — an institution in which the State had long been deeply interested. They also provided that the school terms interrupted by the crisis of 1861 should be completed during the year 1862. At this time the war seemed to act as a needed stimulus to the energies of the people.

Now for the first time we find severe legislation directed against those who had passed from the State into the Confederate army. Such persons were declared to have expatriated themselves, and were not to be restored to citizenship except by permission of the legislature. The governor vetoed this bill, but it was quickly passed over his veto. Legal proceedings were authorized to secure from the so-called provisional government a portion of the State taxes that it had laid hands on while the Confederate army held the country south of Green River.[1] A suit for money against citizens in rebellion is a novelty in civil warfare.

In April came the great battle of Shiloh, or Pittsburg Landing, — a battle in which nearly every State of the Mississippi Valley had a melancholy interest.

After the capture of Forts Henry and Donelson the Federal army showed something of the same lack of energy in their action that the Confederates had done in the defense of these posts. A Federal force of about twenty thousand men was left on the west bank of the Tennessee in a poor position, exposed to an unknown force of the enemy under the command of General Albert Sidney Johnston. This Federal force knew so lit-

[1] Collins, i. 101.

tle of the enemy, that on the morning of April 6th they were driven from their very tents by an attack of the whole Confederate army of the Tennessee. After a day of overwhelming disasters, that even the persistent valor of his best men could in no way stay, General Grant's army was driven back upon the river in nearly utter rout, with the loss of nearly one fifth of the force as prisoners. By great good fortune, while his army was scarcely more than the débris of the command, and was exposed to utter destruction, he was reinforced by General Buell, who, by a hurried march of twenty-five miles, one of the finest feats of American military history, succeeded in interposing his army of twenty thousand men between the wreck of Grant's army and the victorious Confederates.

Thus what promised to be an overwhelming victory for the rebel army was turned into a disastrous defeat; through the action of General Buell, whom we are hereafter to see treated with most unmerited severity, and left in his time of trial without a friendly word from the man whom he had saved from utter ruin. If Grant's army had fallen a prey to the Confederates, as it would certainly have done if Buell, acting on his own sense of the emergency, had not hastened with great celerity to its rescue, all that had been gained by the victories at Donelson and Henry would have been quickly lost. The subsequent movement of the Confederates into Kentucky would have been a triumphal march instead of the disastrous series of blunders which it came to be.

The victory at Pittsburg Landing was dearly bought; no other battle in which Kentucky troops had ever before been engaged was so bloody. The Federal loss in killed and wounded was about ten thousand, the Con-

federates about the same, so that the action deserves to rank with the greater battles of history. The loss of the Kentucky troops was particularly severe. It is not possible to determine the precise number of men from this Commonwealth engaged in the action. There were twelve regiments from the Commonwealth in the Federal army,[1] amounting probably to a total of about six thousand men. Eight of these regiments showed a loss of five hundred men; the loss in the other regiments is not traceable. On the Confederate side the loss of Kentucky commands amounted to six hundred and eighty. It is likely that the total loss in the Kentucky commands amounted to about thirteen hundred men, or nearly two per cent. of the men of military age and fitness for service, a dreadfully heavy tax.

This battle, so dear in men, was practically without consequences; the Confederate army was not followed up; its beaten but undismayed forces made their way to other fields of action. In the months of waiting, while the Federal commanders were trying to find what they wanted to do with their victories on the Tennessee and Cumberland, the Confederate government essayed a most important campaign, which had again for its aim the possession of Kentucky.

In the early part of the war President Lincoln, who seems to have had an excellent natural capacity for military affairs, saw the supreme importance of that point of the Appalachian Mountains which lies about Cumberland Gap. It is easily seen that by way of this region, through which lies the high road by which the settlement of Kentucky was in the main effected, the

[1] Collins gives the total as sixteen regiments, and sets the loss at five hundred in eight regiments. See i. 102.

Confederate armies could quickly and easily force themselves on to Central Kentucky. Besides this mountain pass, known as Cumberland Gap, there are several other roads, all passing near this gap, by which troops could make their way from Central and Eastern Tennessee.

President Lincoln's plan was to have a railway constructed to Cumberland Gap, and that point strongly fortified, so that an army there might give an element of security to Central Kentucky, and threaten the rebel lines of communication in Eastern Tennessee. His project, though excellent in its conception, was never carried out. This part of the State was never provided with any adequate defenses. It was always as easy for the Confederate forces to turn the Federal position on its east flank as it was for the Federals to make their way by the Tennessee and Cumberland to the west of any force they had in Tennessee. The Confederate armies had been subjected to incessant defeat in the region adjacent to these rivers. As long as they were navigable to the Federal gunboats and transports the Confederates were at a hopeless disadvantage. They were at first slow to perceive this. In fact, the use of light draft gunboats extemporized from Mississippi steamers, conveying a fleet of admirably constructed transports, such as that type of vessels afforded, was an altogether new feature in warfare. Railways could easily be broken by raiding parties, and at best the transporting power of a poorly constructed single track railway was small. A stream like the Tennessee or the Mississippi, once in the control of gunboats, could not be wrested from an enemy's hands without defeating their fleet, — an impossible task for the Southern Confederacy.

After the defeat of their army at Shiloh, the Confederates were compelled for a time to abandon any further effort to approach Kentucky by way of Nashville, and laid their plans for an invasion on lines far enough to the east to avoid the danger of being attacked on their left wing from the Federal forces in control of the Tennessee and Cumberland rivers. The Confederate lines had been pushed south and east, to near Chattanooga, by the advance of Buell's forces. The tide was setting so strongly against them, that if their hold upon the Mississippi Valley was to be preserved they must make another push for Kentucky. Their extreme need at this time developed a man who was one of the most extraordinary characters of the war, — a man of whom it is hardly too much to say that he created and developed a new branch of the military art. John Hunt Morgan was one of the most notable soldiers that the war developed. A native of Alabama, he became in his youth a citizen of Kentucky; he was a lieutenant in Humphrey Marshall's regiment in the Mexican War, and took a part in the battle of Buena Vista, but in no way did he give any promise of his subsequent career, nor was his purely commercial life from 1847 to 1861 in the least degree likely to arouse his dormant powers; it was spent in inaction. He was a captain in the State Guard, and escaped with his command to the Confederate army. Early in the war he showed his singular capacity for swift and effective action.

To Morgan may be attributed the invention of the raid in the rear of the enemy, which became such a peculiar feature in the Civil War. Used skillfully, this form of operations showed itself to be a most valuable

means for relieving the pressure brought about by a vigorous advance of an enemy, when that advance has led him far from his base. It may fairly be said that Morgan's successes compelled the Federal army to use one fourth of its force for rear-guards that would not otherwise have been required for this service.

But for its accomplishment this method of action demanded very peculiar qualities in commander and men. To be successful the leader must take no counsel of his fears; have very quick wits, a great power of invention, and a great tactical capacity. His subordinates must share his qualities, for both in advance and retreat the movements of the force must be often by numerous detachments, so as to blind the enemy to his plans. His men, too, must have the power of acting individually, and have an absolute confidence in their chief. With these conditions it is possible for a horsed force of three thousand men to keep ten times their number occupied in the defense of depots and communications; they can destroy communications, capture weak posts, and in a critical moment break up the enemy's plan of campaign by requiring the detachment of so many troops that the striking power is gone from his army. Morgan's subordinate officers were nearly all Kentuckians, as were by far the greater part of his men. Their wonderful work is perhaps the best evidence of the military capacity of this people. More than any other it shows the people to possess fertility of invention, endurance, and the vigor in action demanded in successful war.

Colonel Morgan, after being engaged in many expeditions and seeing much service in the more southern States, made his first raid into Kentucky in June, 1862,

on the lines of the Louisville and Nashville Railway in Kentucky; he captured some trains and a few soldiers, but the result was inconsiderable. This with his previous partisan work in Tennessee was, however, enough to show the possibility of such cutting out tactics. Early in June, with a force of a little less than one thousand men, he again entered Kentucky. Leaving Knoxville on the 4th of July, on the 8th he defeated a force of 250 men at Tompkinsville, Monroe County; getting possession of the telegraph wires, he sent false dispatches to the Federal commanders so as to open his way to the North. This use of the telegraph to deceive the enemy was a novelty in the art of war, and a resource that often served Morgan in his movements. On the 11th, he was checked by a Federal force at New Hope, in Nelson County, but on the 12th he captured Lebanon with a small force stationed there.

Morgan quickly adopted the plan of rarely giving battle if he could possibly help it. More clearly than any other commander he recognized the limitations of his activities. In a running fight with the Home Guards, he passed on to Harrodsburg, burning bridges and destroying the railway as he went. Masked by a cloud of skirmishers which he threw about him, it was impossible for the Federal commanders to determine his force, which was commonly believed to be several times as large as it really was, or to determine the direction of his movements. He constantly used the telegraph lines to magnify his forces in the eyes of the Federal commanders, and to change the disposition of their troops to suit his purpose. Cincinnati and Louisville were almost without troops, and were greatly alarmed by the invasion. Moving toward Cincinnati so as to

compel a Federal concentration there, Morgan on the 17th captured Cynthiana, a town about sixty-five miles south of Cincinnati, despite the sturdy resistance of the Home Guards and a part of a newly organized regiment under Colonel Landrum; the loss was about sixty men on each side in killed and wounded. At this point he destroyed a large amount of government stores. He was now pressed by a superior force of Kentucky cavalry under General Green Clay Smith and Colonel Wolford, and by them was forced into a rapid retreat to East Tennessee, on which, however, he was able to destroy a large amount of government property. His report shows that in twenty-four days' campaign he traveled over 1000 miles, "captured" 17 towns, paroled about 1,200 regular troops, and lost in the raid only 90 of his men.[1] The destruction of Federal stores probably amounted to over a million dollars in value, and at least nearly twenty thousand men were for the time tied to the government posts they were guarding, or occupied in pursuing him.

From this success came many similar though less spirited raids into Kentucky under the lead of inferior commanders. There were in the next few months many small actions all over the State, principally between these raiders and the Home Guards. These movements were but the precursors of the last great effort the Confederacy was about to make to gain possession of Kentucky. Under the cover of this cloud of raiding parties that forced back the Federal scouts, and thoroughly masked their movements, the Confederate army, which had been gathered in East Tennessee under

[1] Collins, i. p. 104; also, Dukes' *History of Morgan's Cavalry*, p. 182 *et seq.*

command of Generals Bragg and Kirby Smith, advanced into Central Kentucky. At this time the Federal forces in this section of the State consisted of about ten thousand men, all except two regiments being raw troops recently brought into the State from Ohio and Indiana.

This force was under the general command of the able but erratic General William Nelson. General Nelson was an excellent division commander, as was well proven at Shiloh, where he won distinguished credit. He was, however, unfitted by his furious nature for independent command. Nelson expected the attack, but was surprised by the amazing swiftness of the Confederate advance, for in three days they had marched nearly ninety miles. Nelson himself was at Lexington, when he should have been with his army. About all his force, consisting of Manson's and Cruft's brigades, amounting to about seven thousand men, were posted in Richmond when the Federal pickets gave a brief warning of the enemy's approach. There were only these two inexperienced brigadiers with their raw troops to meet the Confederate force. The senior and commanding officer, Manson, believing that he had only to deal with one of the numerous raiding parties of the enemy, moved out with his own brigade, leaving Cruft in Richmond.

At Rogersville, a few miles beyond Richmond, he repulsed the vanguard of the Confederate army. After the night came, he, still thinking that he had to deal with a small body which he had easily beaten, advanced still further away from his supports in Richmond. In this more advanced position he became on the following day engaged with the whole of Kirby Smith's army, more than double his force. For the mo-

ment it went well with him, for Kirby Smith detached half his force under General Churchill to execute a flank movement. This body missed its way and did not at first take part in the action. Manson's force, although it was their first action, did gallant duty. Cleburne, the ablest of the Confederate generals, was wounded, and the Confederate advance stayed. Then at last Churchill found the right wing of Manson's brigade, broke it, and although General Cruft came up with a regiment and two batteries of the force that had been left in Richmond, the exhaustion of the Federal ammunition in the regiments most hotly engaged, and the disorder of the troops on the right, made it impossible to resist the repeated assaults of the veteran enemy. Manson ordered a retreat to Rogersville, hoping to reform there under the protection of the remainder of Cruft's force that was marching towards him. Retreating to this point, the Federal commands reformed in good shape, but after an hour's fighting their right was again turned, and the demoralized force driven back into Richmond. There they met General Nelson, who, raging like a wounded lion, tried to restore a line of battle. A small part of the force again gallantly rallied, but only for a brief resistance; they were quickly broken by the Confederates, and almost all of the men captured. Nelson was an hour too late; the tide of fugitives swept back towards the bridge over the Kentucky River. For a little while it seemed as if they were safe; the Confederate infantry was too much exhausted by the long and fierce fighting for further pursuit.

But even this chance of safety for the broken army was to be lost. Colonel Scott, commanding Kirby Smith's cavalry, who had been marching on a detour

to the west to secure the infantry column against any movement on its flank, struck the road in front of the rout of the utterly broken but not dismayed army. General Manson, with a hundred men, tried to beat them off, but was soon overcome. All the artillery and trains and three thousand prisoners fell into the Confederate hands. The remainder scattered through the woods and by-paths in utter rout and confusion. The débris of the defeated army came out to the Ohio River, all the way from the Little Sandy River to Louisville, a line three hundred miles in length.

In no other case during the war was an army so completely annihilated in a single day's battle. General Nelson, himself wounded, escaped, but the greater part of his officers fell into the hands of the enemy. The Federal loss is not known with certainty; it was probably about 300 killed, 600 wounded, and about 3,500 prisoners. The Confederates lost 250 killed and 700 wounded. It is manifest that the Federal troops, though raw, on the whole behaved with remarkable steadiness in the face of the larger and veteran force that they resisted so long. The battle does not deserve the opprobrious names that have been given to it. A raw force of 7,000, under inexperienced commanders, had held its own for hours against twice its number of the best Confederate troops. But for Scott's luck in striking the road of their retreat, their disorder would have been by no means overwhelming, and on the line of the Kentucky River they might have fought again.

Although the Confederates had suffered heavily, their victory was full of promise. They had beaten the only organized troops in Kentucky. General Buell, the department commander, still holding to the notion that

Bragg, with his army of 40,000 men, intended to strike him in Central Tennessee, had made no preparations to meet this unexpected movement of his enemy into Kentucky. Kirby Smith now had command of about 10,000 men, who in their triumph forgot the fatigues of their forced march. The redoubtable Morgan's force was hastening to his support. There was a wide field of action before him.

While Buell was awaiting the Confederate attack in Eastern Tennessee, Bragg, encouraged by Kirby Smith's successes, and well informed as to the exposed position of Kentucky, began his march across the Tennessee table-land to enter Kentucky. It was desirable for him to threaten Nashville in order to delay Buell's movement towards Kentucky. This he accomplished by moving westward on the Knoxville and Nashville turnpike to the village of Carthage, from which point he turned northward into Kentucky. Moreover, by this route he gained new and richer foraging ground by which to supply his army on the march, Eastern Kentucky not offering supplies for so large an army.

When Bragg entered Kentucky, Buell's force was massed between Murfreesboro and Nashville. By this movement Bragg placed himself so near the line of Buell's communications with Central Kentucky that he might hinder, by his raiding parties, his enemy's effort to get north on the Louisville and Nashville Railway. It was not until Bragg actually turned north into Kentucky that Buell had a right to feel sure that his object was not to fight in Tennessee. So far Bragg's movement was skillfully contrived, and it is hard to see how it could have been met by Buell in any more satisfactory way, though if Bragg's object had been to seize

Louisville or Cincinnati, he had wasted time in marching so far westward, for he could have hastened Buell's retrograde movement equally well by means of powerful detachments of cavalry, of which he had a large force. As we shall see, the eight days that Bragg spent in this movement, which was intended to threaten Nashville, was probably the cause of his failure in his main object, which we may presume to have been the capture of Louisville and Cincinnati and the gaining a good position in Kentucky.[1]

Even after he had made his westward march, Bragg's advance was exceedingly dilatory. On September 12th his infantry advance force was only at Glasgow, having marched very easily all the preceding week. Veteran men could not have been worn down by their slow marching and in need of the rest he gave them. Bragg had now lost at least ten precious days. Though singularly well placed for giving quick blows, he was pur-

[1] The Comte de Paris thinks that Bragg moved west in order to have the advantage of a turnpike. This was not at all necessary for his movement. He could easily have gone into Kentucky by way of Big Creek Gap, the route pursued by Kirby Smith, and he would thereby have saved a week of precious time. It is likely that in part his aim was to secure a way through a region that would forage his army. But the principal reason for this movement was doubtless the hope that he might be able to capture Nashville by a sudden assault. Bragg had with him the Confederate government of Tennessee. If by any chance he could regain Nashville and reëstablish the Confederate State authority in that place, he would be in a much stronger position for his Kentucky campaign. At this time Bragg had upon his staff as aid Colonel J. Stoddard Johnston, a nephew of General Albert Sidney Johnston. Colonel Johnston was, in the main, the originator of the plan of this campaign. He urged upon his chief the necessity of vigor in its prosecution, but Bragg seems to have been paralyzed by the magnitude of the undertaking he had set about. A commander of vigor in lesser operations of war, he now moved like a man in a dream.

sued by a powerful enemy under the command of an able general, who though slow to move was extremely careful of his steps and never blundered into danger. Bragg's project was, in its motive, a raid in force resembling, in a way, Morgan's exploits, and controlled by the same need of swiftness in action. If his whole army could not be carried rapidly forward it should have been divided, — a rear-guard left to resist Buell's northward movement, and the remainder hurried forward for a junction with Kirby Smith's victorious troops, who only needed a little help to secure both Louisville and Cincinnati.

At the crossing of the Green River, Bragg found himself opposed by a force of 3,500 men, under the command of General Wilder. This officer was intrenched in a position that commanded the crossing of the railway and turnpike road. An effort was made to carry this position by assault, but failed. Bragg was then three days in investing and reducing this work, and forcing it to surrender. He won it on the 16th. This position could have been left with its garrison without delaying the Confederate march more than a few hours. When Bragg should have been the master of Louisville, he was occupying himself in capturing this petty stronghold.

Kirby Smith, whose army had now been increased by a force of several thousand under General Heth, was now well up to the line of the Ohio before Louisville and Cincinnati. He had a force near each of these points strong enough to tempt him to an assault, but was restrained by the orders of Bragg. Two courses were now open to General Bragg; despite his delays he was still a good four days ahead of the north-

ward moving army under Buell. He could have turned sharply to the south, struck the Federal force, fatigued with its long marches, and drawn out of battle order by the need of movement over several parallel roads; or he could have still pushed northward, captured Louisville or Cincinnati, and gathering support from Kirby Smith and Heth, have given battle to Buell with superior numbers. But General Bragg, though an excellent artillery officer, found the position he now occupied too complicated for his powers. In his place Stonewall Jackson would have beaten the army of Buell in detail, and thus won the possession of Kentucky for the Confederacy; as it was, he fell between two lines of brilliant and promising action; he turned to the eastward on the road to Lexington, gathering ponderous trains of supplies from the rich country as he went, and allowed Buell to move on to Louisville, which he entered on September 29th. So slow was Bragg's movement that he took sixteen days to march the one hundred and twenty miles between the Green River, at the point where he crossed it, and Lexington, a march that could easily have been made in nine days.

In order to see the imminent peril of Kentucky at this time, it will be necessary to consider the conditions at Cincinnati and Louisville while they were threatened by the armies of Generals Bragg, Heth, and Kirby Smith. Bragg's possession of the latter point would have placed Buell's army in a hopeless position; he would have been compelled to find his way to the Ohio, at some point where he could have opened new communications. This would have been, in the face of a victorious and vigilant enemy, a serious difficulty even for a commander of Buell's great ability.

As before noted, the army of General Kirby Smith had the roads to the Ohio wide open to where the force under General Nelson was scattered at Richmond. After that signal victory he was reinforced by Heth and Morgan; with these added forces General Smith immediately closed down on Cincinnati and Louisville. At the moment when the Confederate forces appeared before these cities they could easily have been taken by assault, and thereby the base of supplies of the army of the Tennessee would have fallen into the Confederate hands. Heth's force threatening Cincinnati, amounting to not over nine thousand men, occupied a commanding position within five miles of Cincinnati, which was practically undefended. When he first set down before that city there were no troops that were likely to be useful in action to oppose him. The defenses consisted of a few weak unconnected redoubts, mounting about a dozen pieces of siege artillery, along a line nearly ten miles in length. This line was penetrable at many points where it could not be swept by the fire of these guns. The surface of the country consists of sharp ridges and deep, interlaced valleys, requiring a very extensive system of fortifications to make it secure. Moreover, there were no gunners trained to the use of such pieces of artillery as were available, which require especial skill to make them effective against a well managed assault. There was, at the moment, hardly a single regiment on the ground that could have been trusted to be steady in the open field. The force there was altogether of newly enlisted troops, with no confidence in their officers, and with a great and well founded fear of the rebel prowess.

On the report of Kirby Smith's northward march

from Lexington the States north of the Ohio were profoundly stirred. Thousands of volunteers, with domestic arms, but without organization or discipline, flocked to Cincinnati and Louisville. At Cincinnati the command fell to General Lew Wallace, an officer of singular energy in the work of organization. By him the city was at once placed under martial law, and nearly every man in it set to work upon the fortifications; in about thirty-six hours the detached redoubts were connected by rifle pits, behind which the "squirrel hunters," as the volunteers were termed, found a position where it was hoped they could make some resistance. It is doubtful if ever before a line of fortifications of such length was constructed with such rapidity. Still, when, on September 6th, Kirby Smith's force arrived within sight of the fortifications, the defenses were incomplete, and the horde of unformed citizens in the trenches, mingled with the half-armed, undisciplined, uncommanded militia, would have given way before such a charge as the men who won the battle of Richmond could easily have made.

Until the morning of September 8th, General Kirby Smith could have broken this line with the loss of a few score of men. Once within the defenses the very numbers of the mob engaged in the defense would have made his victory the more certain. There was no second line of defense, and the only line of retreat was by way of the single pontoon bridge over the Ohio. It was quite possible for the Confederates to capture the whole force. But the lethargy that had come with Bragg's assumption of the command paralyzed Kirby Smith and his able lieutenant, Heth.

While these scenes of confusion, so tempting to the

vigorous spirits of dashing commanders, were going on at Cincinnati, similar conditions prevailed at Louisville. A throng of willing but unorganized citizens was all that intervened between Bragg's force and the immense stores that had been gathered for the supply of Buell's army. After remaining six days in front of Cincinnati, restrained from action by the orders of the slow moving Bragg, General Heth was ordered back to Lexington to effect a junction with Bragg. About the same time Kirby Smith also fell back from his advanced positions towards Bragg's army. Although the Confederates thus lost the golden opportunity of doing great things for their cause, the Federal inaction was almost equally blundering. When, on September 9th, Kirby Smith, with not more than nine thousand men, was within sight of Cincinnati, the Federal force behind the fortifications amounted to over thirty thousand men. At least one third of these were veteran soldiers belonging to commands which had been hastily sent from the West. Heth's position was in the apex of a triangle, two sides of which were formed by the sharp northward bend of the Ohio River. The fortifications were now in such shape that they could have been safely trusted to one third of this force. With the remainder, or say twenty thousand men, the Federal commander could have easily overwhelmed and captured the little Confederate army.

While these vacillating and abortive movements were under way, Buell was steadily and certainly creeping along lines a few miles to the west of Bragg's army, towards Louisville. He had to subsist, in the main, from the country, and therefore was compelled to move with divided forces in several roads. A quick move-

ment of Bragg's forces, after they had united with Smith, would have enabled him to strike Buell with superior numbers, while he was drawn out in this dangerous way by the needs of his march. There is reason to believe that he could have beaten him in detail, and forced the remnants of his army into the forests of Western Kentucky, where there would have been no subsistence for it.

When Buell got to Louisville on the 25th of September, Bragg had lost his last opportunity of effective action in this momentous campaign.

As soon as Buell's army was within the strong defenses of Louisville, Bragg's position changed for one that gave unbounded opportunities of attack to a purely defensive attitude. Buell's force was increased by a valuable reinforcement sent by river from Corinth, Miss., and by new and willing recruits from the North, until it amounted to one hundred thousand men, about one half being raw troops, the remainder seasoned veterans of that capital material which formed the early regiments of the Western States. Taking four days to reorganize and recruit his troops, none too much for the needed repair of his army before it set out on another long campaign, Buell prepared to take the offensive.

On the day appointed for his marching, an order came for him to turn over his command to General George H. Thomas, one of his corps commanders. At Thomas's own earnest intercession this order was revoked, but the discussion caused a delay of a day in the movements of the army, and the incident did much to diminish the effective control of Buell over his troops. The Washington authorities seemed to have a genius for removals at the most critical moments of campaigns.

If Buell was to be removed, the action should have come as soon as he reached Louisville.

At this time Bragg, having wasted the last opportunities of fortune, seems to have abandoned all expectation of doing more than effecting a retreat which should be slow enough to give time for his enormous trains, full of the booty of war material and provisions that he had gorged himself with, to creep into East Tennessee. To do this effectively he had determined, as far as he was capable of determination, to hold against Buell's advance the rectangular line formed by the Kentucky River and Dick's River, a steep-banked tributary of the Kentucky, that falls into it not far from Lexington. This was a naturally strong position, and was the stronger by the fact that an extraordinary drought had made it nearly impossible for Buell's army to find water away from the main streams. For nearly a month every military movement was hampered by this difficulty. There was hardly a march of Bragg's or Buell's army that was not in part determined by this unprecedented drought.

In his retreat Bragg proved by his movements that he was nearly as incompetent in defense as in attack. In the first place, he assumed that the Federal force would march by way of Frankfort, a path that would have placed Buell's army in great difficulties because of the rugged nature of the country caused by the deeply incised streams that enter the Kentucky River in that district. In this he reckoned without his host. Buell took the simpler and more effective plan of moving towards Dick's River by way of Bardstown and Lebanon, where he had a plain country to traverse, — one not affording strong positions to an enemy, and

affording ground for a well-developed battle; moreover, he secured by his route possession of a reasonably good railway, that needed but little repair to serve for the transportation of his supplies. This movement had also the advantage that it brought his army well on the flank of Bragg's course in his intended retreat.

While Bragg, assuming that Buell would advance by way of Frankfort, was effecting a concentration near Lexington, Buell was slowly moving upon his flank. It is likely that Bragg's desire to remain north of the Kentucky River was in part due to his anxiety to carry out a political manœuvre that was then under way. As soon as the Confederates obtained possession of Frankfort they had a long-desired opportunity of giving some semblance of fact to the provisional government in Kentucky, by installing their officers in the State capital. It took some time to gather this ghost of a government at the capital, and to go through the form of electing and inaugurating a successor as governor to Colonel Johnson, who had met a soldier's death at Shiloh.

Buell was in motion before the preliminaries to the induction ceremonies were under way. Just as the new governor was making his speech Sill's division, sent out as a flanking party of Buell's march, began to fire on the town. The flowing periods of Governor Hawes were interrupted, and with his staff he was driven through the tunnel near the capital on his way to Lexington. It was probably to complete this political farce that Bragg had loitered with a large part of his army about Lexington and Frankfort, as he for a similar purpose had loitered near Nashville, when he should have been concentrating his forces to meet the menacing flank movement of the Federal army. This he

endeavored to effect when it was too late to get the profit of it. Buell's forces were now in a tolerably compact series of columns near Lebanon, marching by parallel roads towards Dick's River. If his army had not contained a large portion of raw troops, who had not yet been trained in marching, and who were worn out by the heat and dust, he would have been able to interpose his army between Bragg and his line of retreat.

On October 8th the Federal columns were all within easy supporting distance of each other, a few miles west of Perryville. The advance was at Doctor's Fork, a small stream now reduced by the drought to a few pools of stagnant water. The line of this stream was occupied by Sheridan's division, whose outposts were posted only a little distance beyond the stream. The wooded nature of the country prevented any distant view, and the men were too much exhausted for a vigorous reconnaissance; still it was a mistake to rest over night in the face of dangers that even a trifling scout would have revealed. The failure to make this reconnaissance was the only serious mistake that can be charged against the Federal commander. It was a mistake, but one more visible in the retrospect than at the time when it was made.

When the Federal force camped in the order of battle, the low heights near Perryville, only two miles away, were occupied by a large part of Bragg's force, perhaps one third of his army, amounting to about fifteen thousand men under Hardee, which was then about receiving reinforcement from Cheatham's division, which gave him about thirty-three thousand men. The Federal force, within attacking distance, amounted to

about fifty-eight thousand men. If a reconnaissance had been made, the weakness of the Confederate force could probably have been ascertained, and it would have been possible on the following day to have overwhelmed their force with numbers. As it was, Buell acted on the supposition that he had the whole Confederate army before him, and took time to close his columns well together that he might be ready for the struggle of the morrow.

This concentration was difficult on account of want of water and the forest-clad surface of the country. A similar error was made by the Confederates. They supposed that they were dealing with an inferior detached force which they hoped to overwhelm before its supports arrived. They probably supposed that the main Federal army had gone to drive the Hawes government out of Frankfort. It is evident that they regarded Hawes' presence at the Kentucky capital as a very important matter, — one well deserving General Buell's entire attention.

Buell's order of battle was necessarily controlled by the generally wooded condition of the country, which greatly impeded the formation of his lines. Crittenden's force was on the extreme south, cut off by a wide interval from the other forces; Gilbert's corps, which included Sheridan's division in the centre and Mitchell's division, farther to the north or left; on the extreme left was McCook's admirable corps.

There was no expectation of a battle on that day although the line was formed for it. In the budget of misconceptions, the Federal commander doubtless supposed that the Confederates knew that the force before them was the main army of the Cumberland, and that

they would take all the time he would give them for concentration and defense.

The battle began about noon of October 8th by a cannonade, which did not seem to presage any serious action. Such artillery engagements were in those days common enough between forces which lay over against each other. The Federal commanders prepared not for immediate action, but for an attack they meant to deliver on the following day after their troops had much needed rest. The force was in good shape for an advance, and an attack at the moment would have brought the whole of Buell's army against less than one half of Bragg's. On the other hand, the Confederates, equally ill advised concerning the force of the enemy, had determined on an attack, which they delivered suddenly and with crushing force. At two o'clock in the afternoon they began their assault on the right of the Federal line, composed of the brigades of Lytle and Harris; on this force they made no impression, but yet farther to the right, where Buckner's attack was masked by a wood, it struck Tirrill's brigade with such overwhelming force that the Federal line immediately gave way. The Federal troops on this part of the line were all raw, and though Generals Jackson and Tirrill were both killed in their efforts to maintain their lines, this part of the Federal force was utterly routed with a loss of eleven pieces of artillery. Webster's brigade of Jackson's division succeeded for a moment in checking the utter rout of the broken line. Here General Webster fell, and his troops were driven back.

Unfortunately for the Confederates they had not shaken Sheridan's force, which lay on the left or the south of their attack. His well posted and well secured

artillery enfiladed their advancing lines, and compelled them to settle with him before they followed up their advantage. Sheridan's position gave his men the shelter of some woods, while the Confederates advancing to the attack had to cross open fields; though the Confederate attack was heavily reinforced by two brigades of Cheatham's division, their gallant and repeated charges failed to shake Sheridan's veteran regiments. The other end of the broken Federal line was reinforced by a brigade of Mitchell's division, which was sent to aid McCook, whose position the Confederates were endeavoring to turn. Despite the loss of its commander, General Gooding and one third of its force, it materially aided McCook to retain his position until night fell, and this furious action came to an end.

Although the Federal force lost a dozen pieces of artillery, and for a time was beaten, it in the end gained on the enemy. They were driven beyond Chaplin Creek and through Perryville. If the repulse had been followed up by the Federal force, some important results might have been obtained.

By some blunder of the staff officers, General Buell, who was some distance from the front, was not informed of this action until two hours after the Confederate attack began, nor did Crittenden know that there was anything of importance going on; the thick forests between the roads prevented the sound of musketry reaching any distance, and both the Federal commander and his lieutenant, Crittenden, supposed that the artillery firing was but a meaningless skirmish between batteries that did not mark an action of any moment. But for this unaccountable failure of the intelligence of the action to come at once to Buell, he could easily have by

a counter-attack pushed Hardee to the wall before the darkness had fallen. As it was, the chapter of blunders that marks this battle had its completion in the failure of the Federal commander to know of it until it was half over.

The retirement of the enemy, and the coming of the night made it ill advised for Buell, at the late hour when he learned of the action, to make any movement until the following day. Had he known that Bragg, though present himself, had but half his army with him, it would have been possible to have pushed forward his unshaken troops, and, taking advantage of the few hours of day, he might have carried the Confederate position. But the heavy blow he had received made him more than ever convinced that he had to reckon with the whole of his adversary's army. He therefore postponed his advance until the following day. Bragg, who had now arrived on the ground, at once saw that he was confronted by Buell's whole force, and acted accordingly. It was not his purpose to fight a general battle, least of all did he desire to fight with half his army; he therefore prepared to retreat in a northeasterly direction, which would give him time to concentrate his scattered forces.

Brief as this battle had been, lasting but for four hours, it was the bloodiest that was ever fought on Kentucky soil; for the numbers engaged, and the duration of the action, it was one of the most destructive in modern military history. The Federal force actually engaged numbered rather less than twenty-five thousand men. Of these they lost in killed and wounded about four thousand; McCook's corps lost three thousand killed and wounded, out of twelve thousand five hun-

dred men engaged. The Confederates lost from the fifteen thousand men whom they brought into action over three thousand in killed and wounded. At least seven thousand men fell in that fierce storm between 2.30 and 6 P. M.

In the night Bragg, satisfied that he had to deal with the whole of Buell's army, fell back toward Harrodsburg, that he might hasten his conjunction with Kirby Smith's corps, which was moving toward him from Frankfort and Lexington, as well as with several other detached bodies of troops which were in various parts of Central Kentucky. This, though a necessary, was a very dangerous move, for it carried him farther from his line of retreat, and exposed him to attack from Buell, while in a position where orderly retreat would, in case of defeat, have been quite impossible. But Buell could hardly hope to strike him another blow before this concentration was effected, even if he knew, as he probably did, the object of Bragg's northward movement. He therefore waited before forcing another action for the junction of Sill's division, detached to drive out the Confederate force in Frankfort, meanwhile warily pushing forward his line to Danville.

Hardee's blow, though in a way a blunder, served a good purpose for his cause, as it made Buell even more cautious than he was wont to be. After his junction with Kirby Smith's and the other detached forces, Bragg moved eastward to beyond Dick's River, making his centre at Bryantsville. Buell has been blamed for not attacking him here; and at first sight there seems to have been a good chance lost in not forcing the game at this point.

As will be seen from the map, Buell had what sailors

would call the weather gauge of Bragg's position. To make good his retreat, Bragg had to march at least one third farther than Buell to attack him. But whoever will go over the ground, or even examine good maps of the country, will see that while a victory of the Federal arms at this point would have been overwhelming, the chance of winning it from an enemy of nearly equal strength, all of whose forces were veterans, was not so good that a discreet commander should have risked the venture; a defeat would have been utter ruin to the Federal cause. If Buell had driven them, the enemy could easily have forced the fight at Dick's River, or, beaten from that point, he would have the extensive defenses of Camp Dick Robinson at his disposal as a *point d'appui*. Moreover, the long drought had broken the very day of the Perryville fight, and the difficulties of the Sahara were exchanged for those of wet roads and swollen streams. Before Buell was prepared to strike a blow, Bragg, who was better in managing a retreat than an advance, slipped from his dangerous position, and made for the ford of Rockcastle River at Livingston.

Crittenden's corps marched parallel with Bragg's army through Stamford, but was unable to gain upon him far enough to force anything but trifling actions with his rear-guard. The battle at Perryville had given the Confederate trains a long start for Cumberland Gap, so that Bragg had open ways and well-arranged supply stations for his light marching army. By obstructing the roads which, in this region, frequently run through forests, with felled trees, he was able to so hinder the Federal chase that it became hopeless, especially as the country had been absolutely denuded of all provisions

for man or beast by the armies which had passed through it, and the pursuing column was necessarily dependent on its trains for all supplies. The pursuit was kept up to London and Manchester, but became daily more unavailing, and the Confederate army finally escaped with a vast amount of plunder to its strongholds beyond the Cumberland Mountain, amid the execrations of all Southern sympathizers who deemed his enforced retreat a disgraceful act.

As soon as it was evident that Bragg had abandoned all hope of further action in Kentucky, it became necessary for Buell to make all due haste for Nashville, lest the half beaten enemy should overpower the garrison that Buell had wisely left in that place. But it was not to return under Buell's command; on October 30th he was displaced by Rosecrans, who had just won a considerable victory near Corinth, Miss., and whose star was on that account now in the ascendant. Early in December the Federal army was out of the State, except large garrisons that were left to guard against such successes as had been won by Morgan and Kirby Smith.

There has been much criticism of this Kentucky campaign of the Federal army under Buell, the most of which seems quite undeserved. Buell's retreat to Louisville was clearly one of the best executed pieces of strategy of the war; it was well planned and admirably executed, and though much of its success is to be attributed to the dilatory action of his enemy, it is fair to assume that its leader could have met all opposition in a soldierly way. The readvance from Louisville was swift, and extremely well suited to the needs of the position. It showed a remarkably clear grip on the whole problem before him. But for the singular series

of accidents at Perryville, due to the blunder of Hardee as to the force he was striking, and the mistake of Buell as to the force with which the blow was struck, to which was added the strange negligence of his subordinates in not giving him due notice of the action, it is likely that he would have been able to deliver an overwhelming blow against Bragg's army.

It must be remembered, however, that Bragg's position was exceedingly strong. As soon as he abandoned all his plans for holding Kentucky, and limited himself to the defense of his booty trains, he confessed his essential defeat, but was in a position to secure his retreat from the State. His army of forty-eight to fifty thousand veterans was so nearly a match for the fifty-five or sixty thousand men that Buell could hope to bring against it, that with the choice of position it could well afford to risk a battle. If defeated, it could expect to make good its retreat; if victorious, it might again find Kentucky in its grasp.

Buell's supreme duty was to drive Bragg from Kentucky; he should have endeavored to destroy him if the chance of doing so was extremely good, but merely expelling him was a victory. He could not afford to risk the chance of the misfortunes that might come with any doubtful battle. If we justify Meade in permitting the broken Confederate army to escape after Gettysburg, without further attack, as almost all good military authorities do, we must deem Buell's caution, in the face of a stronger and much better conditioned army, well within the limits of his duty, if not his supreme duty, under the circumstances. His sagacious action turned back the strongest wave of war that ever rolled over Kentucky without the risks of a hazardous battle.

In following the movements of those great armies we have necessarily omitted all mention of several disconnected incidents that are a part of the history of the campaign, which led to important consequences. The most notable of these was the admirably conducted retreat of General George H. Morgan from Cumberland Gap to the Ohio River. On June 17th, General Morgan, with four brigades of troops, by threat of siege drove the Confederate General Stephenson from his unassailable position, and occupied this magnificent natural stronghold. When the Confederates under Kirby Smith entered Kentucky by way of Big Creek Gap, a pass considerably to the west of Cumberland Gap, which the Federal forces, in their ignorance of the topography, failed to fortify, Morgan was left to shift for himself without any instructions as to his course. He appears indeed to have been quite forgotten by his superior officers.

If, on the threat of Kirby Smith's invasion, he had been promptly withdrawn to Central Kentucky, his force of about eight thousand men, all well seasoned soldiers, under the command of a man of decided military capacity, would doubtless have avoided the defeat of Nelson. Nothing shows the confusion of the Federal operations in the West so well as this capital blunder. When the interior of Kentucky was in the hands of the Confederates, General Morgan found himself without provisions, and his old enemy, Stephenson, so placed that foraging was impossible. His only resort for supplies was in the rich valleys of Eastern Tennessee, now fully controlled by the Confederates. The mountain district of Kentucky furnished little for him. The small farms of the country were scantily tilled, and at best afforded little provision for an army.

Many another commander would have surrendered his abandoned brigades to the enemy, but Morgan, destroying his stores, leaving nothing of profit to his pursuers, plunged into the wilderness of Eastern Kentucky, and through a mountainous forest, where he had often to create his roads as he went, he made his way for about two hundred miles to the Ohio at Greenupsburg. He brought off all his field cannon, despite the energetic efforts of the Confederate General Morgan to cripple his march or at least to capture his trains.

The Confederate resistance to his movement was skillfully planned, and might have been successful but for the unwillingness of General Humphrey Marshall to move as he was ordered by Bragg to do. As it was, the march of the Federal army was a long, running, starving fight, from which the force came out looking like an army of spectres, shoeless, their clothing in tatters, and their bodies wasted by scant food. This retreat deserves to be remembered as one of the great exploits of the war, and one of the most successful movements of the kind in military history. Morgan's retreat never received the credit it deserved. The public was clamorous for battle, and was too little pleased with the masterly retrograde march of Buell to praise this equally capital exploit.

There were many small actions between the detached parties of Confederate cavalry and the Home Guards of the several counties during the period of Bragg's great movement. We can only describe one or two of these by way of example, to show how strong was the spirit of resistance among the people.

On September 27th Colonel Basil Duke, of the Confederate General John Morgan's command, with about

four hundred men, undertook to cross the Ohio at Augusta, in Bracken County, about forty miles above Cincinnati, in order to threaten that city with the expectation that a portion of the Federal troops on the south side of the town might be compelled to withdraw. This was apparently undertaken with the hope that the fortifications about Covington might thus be laid open to a sudden dash of the Confederate forces, which still lay within convenient distance for attack. Duke's move was resisted at the point where they undertook to cross the Ohio by a force of about one hundred Home Guards, citizens of Augusta, under the command of a Dr. Joshua Taylor Bradford. A part of this force consisted of Southern sympathizers, who had been pressed into service by the Union men. Two extemporized Federal gunboats fled at the outset of the fight, as soon as they found themselves exposed to the fire of some light field-guns in the Confederate hands. The Home Guards, though outnumbered four to one by their veteran assailants, fought for several hours from house to house, killing and wounding about fifty of Duke's men, and compelling him to expend the ammunition he had provided for his raid. Duke lost a large part of his officers from the accurate fire of these extemporized soldiers. Three of the captains of the Confederate force and six of the lieutenants were killed.

It is doubtful if even in the old Indian warfare there had ever been a fight of such terrible ferocity. The town was stormed, and the fighting was kept up from house to house, the inmates continuing the struggle until they were burned out or killed. General Duke says, in his account of the battle: "Details of men were posted

in the middle of the street in front of every house, to fire on the inmates as they showed themselves, and prevent them from maintaining an accurate and effective fire. Other details were made to break in the doors of the houses and enter them. The artillery was brought into the town, and turned upon the houses in which the most stubborn resistance was kept up. Planted about ten paces from a house, aimed to strike about a yard below the sills of the windows, beneath which the defenders were crouched (except when taking aim), and double-shotted with grape and canister, the howitzers tore great gaps in the walls. . . . Flags of truce about this time were hung out from several windows, and, believing that a general surrender was meant, I ordered the fires to be extinguished. But only those who shook the white flags meant to give up; the others continued to fight. One or two men putting out the fires were shot. I immediately ordered that every house from which shots came should be burned. A good many were soon in flames, and even then the fighting continued in some of them. My men were infuriated by what they esteemed bad faith in a continuance of the fight after the flags of truce were displayed, and by the loss of their comrades and of some favorite officers. I never saw them fight with such ferocity. Few lives were spared in the houses into which they forced their way."

The Home Guards, having finally expended their ammunition, and the houses in which they were posted being burned over their heads or battered to pieces by the artillery, were compelled to surrender. But the expedition into Ohio was foiled. Duke returned to Morgan with his force decimated by this battle and with

one more experience in the fighting power of the citizen Kentuckian.

On September 28th, eleven Home Guards at Falmouth had an encounter with twenty-eight Texan cavalry, in which they defeated their assailants, inflicting a loss of six men. In a score of other engagements these little detached commands, fighting by their thresholds, showed their willingness to combat against hopeless odds and to endure a degree of punishment which it is hard to obtain from regular troops. Though often overcome, they showed the Confederate troops that the State would not be readily subjugated, and dissipated all the fondly-cherished ideas that Kentucky was actually in sympathy with the Confederacy, though she was held in bondage by the Federal power.

This Confederate movement into Kentucky marks the high tide of the Civil War, and the retreat of Bragg was a part of the great reflux of that wave. The crushing defeat of Nelson's forces by Kirby Smith came on the same day as the second Confederate victory at Manassas. The battle of Perryville, which made the retreat of Bragg's army an imperative necessity, came three weeks after the defeat of Lee at Antietam. It was necessary that the Confederates should win both these hazards in order that their cause should succeed. In both cases the result was the sullen retreat of the Confederate forces into their strongholds. Their armies were checked, but not broken, and the Federal forces were not able to give a crushing pursuit to the forces that they had beaten back, — far better than the northern armies the troops of the Confederacy withstood the trials of defeat.

The enforced retirement of General Buell, and his

subsequent court-martial, are painful incidents of this campaign. He was blamed for permitting the escape of the Confederate forces into Kentucky. It is difficult to see how he could have prevented Bragg from making this movement. He was endeavoring to possess himself of Chattanooga, and had barely force enough for this appointed task. It was impossible in such a country for him to keep an effective grip upon his enemy. There should have been an army in Kentucky competent to restrain a Confederate advance. The whole available force left in the State, except the entirely isolated and apparently forgotten garrison at Cumberland Gap, consisted of not over ten thousand raw troops, and these were scattered. The blame for this rests upon the Federal government, which was given to much locking of the stable whenever the horse was stolen.

One other incident of the war deserves notice here. This was the killing of Nelson by the Federal general, Jefferson C. Davis.[1] Nelson was one of the remarkable soldiers that Kentucky produced during the war. At its outbreak he was an officer of the United States navy. He was sent by President Lincoln to Kentucky to aid in the organization of new levies. He commanded a division at Shiloh, where he won great credit. Always a man of passionate nature, the defeat of his forces by Kirby Smith made him furious, though he was respon-

[1] The numerous coincidence of names in the Federal and Confederate armies in Kentucky will be apt to puzzle the reader. Nothing else shows so well the near kinship of the combatants. Jefferson C. Davis, Federal, and Jefferson Davis, Confederate; George H. Morgan, Federal, and John H. Morgan, Confederate; Thomas L. Crittenden, Federal, and George B. Crittenden, Confederate, are but a few cases of this correspondence of names among important men of the time.

sible for the conditions that brought it about, for to him more than to any one else must be attributed the leaving of Morgan's forces at Cumberland Gap. When organizing the forces in Louisville under Buell, his rage broke forth against General J. C. Davis. During a trifling dispute concerning some unimportant matter, he insulted his opponent, and, on his dignified remonstrance, struck him with his hand. Davis instantly killed him. Davis's act was generally approved by his brother soldiers.[1]

It is a well-known fact that in the conflict of arms the laws are commonly silent, but all the while these momentous movements were going on in Kentucky, the law-making power of the Commonwealth was by no means stilled. The vitality of the Kentucky legislature defied the shock of armies. From March 17th to August 24th the legislature stood adjourned; on the latter date it met on the summons of Governor Magoffin. In his message he set forth the fact that the State laws concerning the security of citizens had been violated; that many civilians had been arrested for asserted sympathy with the rebellion, and that these were detained by the Federal government, many of them having been taken from the State without due form of trial, and were detained in prison by process of military law. At the elections that had taken place a few days before the

[1] It was the present writer's chance to serve for a while under General Davis. It is impossible for him to believe that a man so mild in nature would have slain a brother officer without the bitterest provocation. In the French army even a common soldier is justified by military law in killing *instantly* his commander if he receives the insult of a blow with the hand. In war the personal dignity of officers and men must be preserved. It cannot be kept without maintaining such cruel customs.

legislature met men who were believed to be secessionists were not allowed to vote or to be voted for.

There is no doubt that the facts were as alleged, and that, without formal proclamation of martial law, the Federal commanders had undertaken to regulate a great many matters that did not properly concern them. The principal offender was Brigadier-General Boyle, of Louisville, commanding the provost guard forces in Kentucky. This man was much more vigorous in his dealings with citizens than with soldiers, and for a time carried a high hand as a tyrant in Kentucky.

There was no doubt a serious difficulty arising from the presence of many Confederate sympathizers in Kentucky, but while the civil law was allowed to perform its functions it was an insult to the State to have such intermeddling from its subject, the military arm. At certain points martial law was proclaimed, and the civil courts suspended in times of emergency; but as a whole the Federal government long endeavored to abide by the strong desire of the people for civil control. The action of men like Boyle did a great deal to turn many men against the Federal authority. They had entered on the war to preserve the laws that these cheap brigadiers treated with contempt.

When Bragg came into the State he recruited about two thousand five hundred men in Central Kentucky, from the class of persons who had suffered in person or in their sympathies from the often brutal tyranny of the provost marshal system.[1] Many of them were

[1] It has been asserted that a much larger number joined the Confederate army during this invasion. The estimate given is that of Colonel J. Stoddard Johnston, and has been confirmed by other authorities.

men of conservative Union proclivities who had been turned into rebels by the outrages of the military authorities.

At the time of its reassembly the legislature had lost all hope of maintaining the machinery of the civil law in its perfect integrity amid the shock of arms; Governor Magoffin's message received not much sympathy, and that officer was at length persuaded to resign. He insisted, however, that his successor should be a man that should suit him, else he would not yet abandon his very uncomfortable chair.[1] Finally a treaty was made between the legislature and the executive, by which both the governor and acting lieutenant-governor were to resign. Mr. James F. Robinson was then elected speaker of the senate, and thereby became ex-officio governor. Then the speaker of the senate who had resigned for the nonce, in order to make way for Robinson, was reëlected to that office. Thus after two years of patient endurance of their difficult chief magistrate, by due form of law the legislature succeeded in clearing itself of a very unhappy connection.

As before remarked, this patience of the Union men under circumstances calculated to inspire rage in a time of such peril is a very creditable incident in the history of Kentucky; none but a people devoted to the principle of legality would have borne for two years with a chief magistrate, when rightly or wrongly they fully believed him to be at least an enemy to the cause they were battling for, if not in actual alliance with their foes.

The earnest protest that went up from all good citizens against the action of the provost marshal of Ken-

[1] See Collins, i. 108.

tucky, and the evident danger of an armed conflict with the legislature on the question, led to the momentary mitigation of its evils. General Boyle was ordered to execute his office under the governor, an arrangement which, loyally maintained, would have removed the worst sting from the system. This interlude of peace was, however, destined to be but brief.

This session of the legislature marks by its acts the deepening rage of the people against those who were giving aid and comfort to its enemies. A number of severe acts were passed designed to make it uncomfortable for persons who had taken part in the rebellion to remain within the State. All jurors were compelled to swear to their present and future loyalty. A similar oath was required of all "common school commissioners, examiners of teachers, teachers, and college professors."[1] Even ministers of the gospel were required to swear allegiance before they could legally perform the marriage rite. In fact it came about that even loyal people could hardly get through the activities of a day without at least once or twice swearing allegiance to the State and Federal government.

This utter degradation of the solemnity of an oath was a serious and lamentable feature in our Civil War. It was by no means peculiar to Kentucky, though, from the fact that both State and Federal authorities were engaged in the miserable business, it was worse there than anywhere else. In his ordinary contacts with the people, an officer was constantly engaged in swearing men and women as to what they had done in the past or would do in the future.

The origin of this distressing mistake is to be found

[1] See Collins, i. 109.

in the very high value given to a judicial oath among all classes of rural Americans. Before the war and since, perjury was among the rarest of crimes in Kentucky. Thus the legislature, in casting about for a safeguard against the numerous sympathizers with the rebellion, bethought itself of this bond of the oath. It goes without saying that the bond sat lightly on most minds, and even came to be utterly meaningless, although the parole of honor retained its moral value to the last. This miscellaneous oath taking was a degradation of a most sacred relation, that brought no profit to those who prostituted it to political ends.

On the 31st of August, two days after the overthrow of Nelson's army, the legislature abandoned Frankfort, and removed with the State records to Louisville, having previously passed an act that warranted the change of the capital in case invasion made it necessary.

The session held in Louisville did no important legislation. The war had now drawn away the greater part of the abler men from the legislative halls. The Confederate or the Federal army held those to whom the people naturally looked for the control of their laws. The civil law had done all that it could to affect the immediate destinies of the people, the rest had to be left to the stern arbitrament of war. The efficient governor, in perfect sympathy with the Union cause, gave the people a sense of security that they never had while the chief executive was a man whose sympathies were with the Confederates, even though his honor kept him true to his oath of office. Governor Robinson had the qualities of an admirable executive, and earnestly seconded the energetic action of General Finnell, the adjutant-general of the State, who had already done a won-

derful work in pushing forward the recruiting of the State forces.

On August 16, 1862, on the day of Robinson's inauguration, General Finnell reported that the State had already furnished to the United States army 41,703 men. Much talk has been made of the recruits that Bragg and Morgan received during their occupation of the State. It is doubtful if in all, with the prestige of their brilliant successes to aid them, the Confederates obtained more than two thousand five hundred recruits; while during the period when the prospects of the Federal party seemed the gloomiest, when for a time it appeared as if the Commonwealth had fallen before the rebel arms, and much of its area was in their possession, the State received more men than it could secure acceptance for under the Federal calls for troops. There were now, including the Home Guard forces, about fifty thousand Kentucky troops at the command of the Federal authorities. This total included much more than one half the able-bodied men, of all ages, in the State, after deducting those who joined the Confederate army.

After the escape of the Confederate forces from Kentucky a period of relative inaction set in. There was still an incessant series of small raids, which were neither of political meaning nor military importance, yet were exceedingly harassing to the people. This was the beginning of a new form of evil that endured for a long time, and was more intolerable than the larger operations of legitimate warfare, which were generally conducted on both sides with a singular respect for non-combatants. Such marches and combats as had recently taken place in Kentucky always leave in their train a

mass of unsoldierly rubbish that is hard to clear away. Deserters from both armies formed bands of outlaws called guerrillas. These wretches, without commanders from either army, sheltered in the great forests that abound in nearly all parts of the State, were often strong enough to overcome the domestic forces, and were guilty of many outrages. They brought back to Kentucky the evils of its struggle with the Indians. Men again tilled their fields with their muskets by their sides, and slept in expectation of combat. During the whole of this and the following year these parties were hunted down, and when captured hanged without mercy. Still their numbers, their daring, and their swift movements, made the struggle as difficult and as bloody as in any year during the last century.

The only military operation of any moment during the remainder of the year 1862 was another of Morgan's remarkable raids. After the battle of Perryville and the retreat of Bragg's army, Morgan, with a curious confidence in his own resources, remained for nearly a fortnight in Central Kentucky, making occasional attacks on exposed positions; then, dividing his force, he made a retreat from the State, in part by the way of Williamsburg, and in part by Waynesboro, on the Green River. In Tennessee he performed many brilliant feats by hampering the movements of Rosecrans in his efforts to repossess Tennessee. It would require the remainder of this volume to give an account of the swift and telling strokes which he gave his enemy. As his men were Kentuckians the story would be germain to the history of the Commonwealth, and it is in many ways the best part of its military history. Unfortunately, we must limit the mention of Morgan's exploits to the more im-

portant incidents of his campaigns in Kentucky, which were but a small part of the work effected by his command.

In the latter part of December it was evident that Morgan's cavalry, with their untiring exertions and singular successes in cutting off detached forces, could not greatly hinder the excellent plans of Rosecrans. The only remaining chance was for Morgan to try once more the task of breaking up the Federal lines of communications with the North, and the creation of a division in Kentucky.

On the 22d of December Morgan started on this adventure with about three thousand men. The lessons of experience had taught the Federal commanders to leave large garrisons at the important points on this line from Louisville to Nashville. There were more than thrice Morgan's numbers guarding the weak points of this line, but they were principally infantry troops, an arm that is worthless in dealing with such raids.

Slipping adroitly by the larger garrisons of the Federal forces, Morgan managed to capture first Glasgow and then Elizabethtown, the garrison at the latter place surrendering without any serious struggle; next, though closely pursued, he captured the block-houses protecting the bridges at Muldraugh's Hill, where he burned the trestle work and destroyed the track. In this district he destroyed two thousand two hundred and fifty feet of bridges.[1] Thence he turned towards Bardstown, but finding strong bodies of troops at every important point he made a swift retreat into Tennessee without being brought to a battle.

While crossing the Rolling Fork of Salt River, Mor-

[1] *History of Morgan's Cavalry*, Basil W. Duke, p. 335.

gan's rear-guard and some detachments, amounting to about eight hundred men, were attacked by about seven thousand Federal troops. They should have been captured, but by a brilliant attack on the advancing force, followed by a swift retreat, they were enabled to rejoin their commands on the other side of the river.

This blow of Morgan was answered by a similar raid from the Federal forces, whose commanders had at length caught the spirit of this swift partisan warfare. General Carter, a brilliant cavalry officer, with eleven hundred picked men, set out from Winchester, Kentucky, on December 25th. Through bitter winter weather, and exceedingly difficult ways, he pushed on without encountering any body of the enemy until he struck the Tennessee and Virginia Railway, in the valley of the Holston. His first object was to burn the great railway bridge at Bluntsville; this was guarded by a Confederate force of three hundred men under a Major McDowell. Carter had marched with such rapidity that he was his own herald; he captured McDowell's force without firing a shot. Burning this bridge over the Holston he marched westward, until he captured the bridge over the Watauga, some twelve miles away. The destruction of these bridges, and the burning of the ties of the road between, broke the railway in such a complete fashion that it would require months to effect its repair. After this considerable work, which was entirely undisputed, he made a swift and practically unopposed retreat into Kentucky.[1] This was the first semblance of retaliation for the numerous cavalry raids to which the Federal army had been subjected. It had not the brilliancy of Morgan's and Forest's work, which

[1] See Comte de Paris, *Civil War in America*, vol. ii. p. 496.

indeed was never attained by the Federal cavalry, but it did away with the notion that this sort of warfare was the peculiar property of the Confederates, though to the end they remained the best masters of the art which they had so well devised.

It is a reasonable estimate that Morgan's force, which at the highest never exceeded four thousand men, and probably did not average over two thousand, which was horsed, foraged, and fed from its enemies, served to neutralize in the time of action at least ten times its numbers of less active troops. In no modern warfare has the quality of commander and men served to give a force anything like this power. It should not be supposed that Morgan's success was due to any peculiar circumstances of American warfare. There can be no doubt that the same audacity, swiftness, and fertility of resources would have been equally successful on European fields. Such a force as Morgan's, operating in the rear of the German armies during the war of 1870, would doubtless have attained something like the same measures of success as Morgan won.

There was only one peculiar feature of America that especially favored such partisan warfare; it was the wide distribution of saddle horses in the country where these operations were carried on. This made it possible for his men to obtain remounts as rapidly as their horses became exhausted, while their pursuers soon found their steeds worn out, while they were without means of replacing them. None of the continental countries of Europe could furnish anything like the number of horses fit for the saddle as may be found in the Southern American States. This might somewhat limit the success of such movements in other lands, still it should be remem-

bered that Morgan's men were not properly cavalry, but mounted infantry. They were armed with muskets, and in almost all cases fought as foot soldiers in single open ranks, so the horse was practically used to save the legs of the men in marching, and rarely served the more picturesque purpose of a charger.

While considering this use of mounted infantry in flying columns, which was essentially an invention of Morgan, it may be worth while to call attention to another peculiar military project of his that marks his fertile mind. His men being essentially horsed infantry, Morgan found that they were weak in a mounted charge; he desired to have a small portion of his force with which he could strike a quick, telling blow, that might leave the enemy in a bad shape to resist the slower movement of his dismounted horsemen. He therefore chose, by competition, fifty men for their skill in shooting with the pistol while they were riding swiftly, mounted them on his swiftest horses, providing each man with four revolvers, or a total of twenty-four shots, giving them no other weapon.

His general plan was to watch for a chance to hurl this force against the flank of men in line of battle, or marching in column, or perhaps in the momentary confusion of action. This project was matured only a short time before his death. The writer was told that it was twice tried with singularly good results, but his notes of the actions where it was essayed have been lost. It is easy to imagine that in such warfare as he waged, this picked body of swift riders and accurate marksmen might be a most valuable resource in the hands of a clear headed commander. It could convert momentary

confusion into rout, and even in favorable cases it might be made to break an enemy's lines sufficiently to give its assailant a great advantage in his main attack.[1]

[1] It is proper to say that General Duke makes no mention of this device in his history of Morgan's command.

CHAPTER XVIII.

THE CLOSING STAGES OF THE CIVIL WAR.

THE failure of Bragg's campaign removed the seat of all grand movements of the war from Kentucky; the following years are no longer to be divided by great events, but fall into something like the order of ordinary times.

The most interesting incident of this comparatively barren period was the fierce discussion concerning the emancipation proclamation. It was not to be expected that this momentous event would be allowed to pass without a fierce battle of words among a people so long accustomed to dispute the actions of the Federal government.

When the Federal government entered on the war it took up an attitude of neutrality on the question of slavery. This neutrality, like that which Kentucky essayed with reference to the whole conflict, proved in a short time to be impracticable. The logic of events, which were unforeseen at the outset of the rebellion, compelled the overthrow of slavery, thus recognizing the essentially revolutionary character of the war in which the nation was engaged.

There is no doubt that this overthrow of slavery was in violation of repeated and solemn assurances that the Federal government would not meddle with the institution of slavery, but would prosecute the war without

disturbing its legal status; but it is the verdict of history that this attitude had, at the time of the proclamation, become utterly untenable. To have kept these words of promise would have been an act of treason to the country. Slavery had been practically destroyed; all that the emancipation proclamation of January 1, 1863, did, was to relieve the administration of its necessary difficulties arising from the effort to tear down slavery with one hand and hold it up with the other.

Although this proclamation did not nominally affect the institution of slavery in Kentucky, for the action applied in its terms to the States in rebellion alone; although the institution at which it struck was a derelict, a mere wreck in the sea of war, this proclamation was felt as a blow by a large part of the Union people in Kentucky. They had taken sides with the Federal government to support the Constitution of the United States. In their view the essential difference between the combatants was that the rebels were breaking the constitution, while the armies to which they were giving their support were endeavoring to maintain that contract. The proclamation of Lincoln was to their minds an act that put them as well as their enemies in an extra constitutional attitude. They felt that if both sides were to fight outside of the constitution their position lost the moral and historic value it had at the outset.

A considerable number of the sympathizers with the Confederates were made more decidedly rebellious by this action. The deliberative minds were puzzled, and generally disgusted, by the turn the war had taken, yet the motives of the people, as a whole, were not changed by the action, as the elections in August clearly showed.

Their blood was up, they felt that they were in for the war where they stood, so they contented themselves with abundant and often noisy protest against the proclamation.

These difficulties brought about by the proclamation were, however, naturally increased by the constant interference of the military with unoffending citizens who were suspected of rebel sympathies. The Union party and its legislature, instinctively and determinedly clinging to the civil law, deprecated this action, and by frequent remonstrances with the Federal authorities from time to time broke up the evil. The difficulty would have been easy to overcome if the Federal government had taken a sensible course in the matter. If the military officers in the State, or at least the provost marshals, had been left in the control of some discreet officer who could have had the time to compass the problem before him, it would have been easy to devise a system that would have sufficiently controlled the small number of Confederate sympathizers in the State without estranging the feelings of the Union population. But these provost commanders were coming and going with the movements of troops; no sooner had one been educated to his difficult task than he made way for another who had his blunders to make.

These interferences with the civil law took two flagrantly unjust forms. One of these was the taxing of so-called rebel sympathizers for the damage done by the guerrillas or by the raiding parties of the enemy. It is impossible to devise any system under the pretense of law that brings about more irritating injustice than this often tried but ever failing measure. General La Marmora made it effective in the temporary suppression of

brigandage in Sicily, but this was a case where the evil to be corrected was due to the inaction of a society which had abundant means of making its government effective against the evil-doers. But the outrages which the so-called Confederate sympathizers were forced to make good were utterly beyond their control. They were the work of a public enemy that the whole military force of the nation was endeavoring to overthrow. The only hope of the people whose property was confiscated was that the raiders would cease their work out of pity for their misfortunes. Moreover, the evidence on which the people were denounced as rebels was generally of a worthless nature, — a few words of criticism of some Federal officer, the reported presence of a son or brother in the Confederate army, or the mere fabrications of some one who had a grudge to pay, were often enough to sweep away the property of citizens who had at most given nothing but their sympathy to the rebel cause. No American people have ever been subjected to as iniquitous oppression as this system brought about.

The other form of the evil arose from the interference of the military power with elections. This was even more unnecessary and more irritating to the lawful Union men than the confiscation of property. For centuries they and their fathers had guarded the freedom of elections as a sacred heritage. The sight of a soldier at the poll has always been like a red rag to a bull among all English people. There was never a time since the overthrow of neutrality that the "out and out" Union men did not have a majority of two thirds of the voters of the Commonwealth. Even when fifty thousand of the Union voters were absent in the field, the old men of the Union party had absolute control of

the State. It would have been more reasonable and certainly safer to let the discontented element of the people, who were not as a class in favor of the rebellion, but who were critical of the measures taken by the government, have their ineffectual protest than to still their voices by military force.

One of the most flagrant cases of interference with purely political action, but only one of very many, was that which took place in Frankfort on February 18, 1863. A convention of the so-called Democratic party, composed of two hundred delegates, representing only one third of the counties in the State, met to nominate a State ticket. They represented that portion of the people who were most in sympathy with the rebellion, though they strenuously and honestly denied all thought of secession. They were refused the use of the legislative hall for their meetings by the then sitting Union legislature, and were denounced by the Union papers as secessionists. Acting on this public opinion, Colonel Gilbert, commanding the forces at that point, proceeded to break up the convention by military force, ordering the members to go to their homes and to refrain from all "seditious and noisy conversation." In this outrage on the civil law Colonel Gilbert appears to have acted on his own responsibility, but his action was justified by his superiors.

This high-handed outrage had a great effect upon public opinion in Kentucky. Even the legislature, now composed almost altogether of violent Union men, passed in the senate a series of resolutions to the effect that such interference was not desired by the Union men, and that it "was dangerous in its tendencies, and should not pass unrebuked."[1] In the August election

[1] Collins, i. p. 120.

there was the same interference on the part of the military with the election. This last outrage had not even the palliation of effectiveness; it exasperated the Union men without restraining the Confederate sympathizers. Only a few polling places were under the control of the troops. If the election had been perfectly free, it is doubtful if the result would have been materially varied. Its only effect was to arouse a very strong hostility to the action of the Federal government, which in an earlier stage of the war might have had disastrous consequences. As it was, thousands of Union men, who had given their property and their blood to the cause of the constitution, feeling that the laws and privileges for which they were fighting were in danger by the action of the Federal officers, lost heart and their interest in the struggle. They had supposed that they were fighting not for the victory of armies, but for the maintenance of laws; for the welfare of the country, and not for the supremacy of a political party that appeared to be willing to destroy the Commonwealth if it stood in the way of its purposes.

So far from condemning this defection of spirit, which undoubtedly came upon the people from the overthrow of their election laws and the subordination of their courts to the military arm, we should rather praise the independence of mind of men who, in the midst of battle, could keep in their hearts this reverence for the foundations of their political life. Although many who retain the memories of the great conflict will doubtless dispute this opinion, it will certainly be the verdict of the time to come, when these events are dispassionately considered.

This growing tide of antagonism to the methods of

the Federal government led to no serious resistance to the Federal action. The people felt they were committed to their course, and continued upon it; they separated their devotion to the constitution from their intense and growing hatred to the Federal executive that permitted these acts.

In the election of August General Thomas E. Bramlette, a gallant Union officer, was elected governor by a vote of 67,586 to 17,344 for Charles E. Wickliffe, himself a proclaimed Union man, but of the ultra States rights stamp. Despite the interference of the military at the polls, the greater part of the secessionist vote was given to Wickliffe. It is not likely that the vote of the States rights candidate would have exceeded twenty thousand if the election had been absolutely free, for as it was the State polled nearly 84,000 votes, and this with the number of the soldiers beyond the State in the two armies made a vote greater than that of 1859, the last before the war, which was 143,000. Quite sixty thousand of the citizens were now beyond its limits or dead on the many battle-fields.

We shall have to follow this growing hatred to the interference of the military with the civil force in the next chapter. For the moment we must turn to the interesting military incidents of the year. Though Kentucky was not in 1863 the pathway of great armies, some of the greatest events of the war took place near her borders, and the *petit guerre* with the raiding parties went incessantly on.

On the 1st of January, 1863, General Rosecrans, who was still endeavoring to regain the ground lost in Tennessee during the preceding summer, had a four days' engagement with General Bragg, known as the battle

of Stone River, or Murfreesboro. This long and complicated action is beyond the field of this history, but it is of especial interest to us for the reason that it brought a larger loss to Kentucky than any other battle of the war, except, perhaps, that at Shiloh. Of the seventy-eight thousand men of the two armies engaged in this long and terrible struggle, about sixteen thousand were killed or wounded. The Kentucky troops engaged probably amounted in all to about twelve thousand men. The loss in Breckinridge's division of the Confederate army, composed largely of Kentucky troops, was over two thousand. The total loss of Kentucky regiments on both sides was over twelve hundred men, of which nine hundred and eleven were lost from ten regiments in the Federal army. Like so many other of these greater battles of the rebellion it was nobody's victory, for while the Federals retained the ground they were in no shape to profit by their success. The American ground and the American nature are both unfavorable for decisive battles.

Morgan's raids make the principal feature in the war in Kentucky during this year. They had now become as successive as a tertian ague; men counted time from one raid to another. His brigade for this raid was under command of his able subordinate Colonel Cluke, returned to Kentucky after an absence of a month or so in the latter part of February. As usual it marched in separate columns in various directions, striking several points, but meeting with such resistance that the successes were very small, except the permanent gain the Confederate cause received from the many thousand men who had to be kept ready to meet the invasion. Cluke thrice took Mount Sterling, each time capturing many

prisoners and some army stores, and destroyed a number of trains on the railways, but found the preparation for his reception so good that he soon abandoned the State. Cluke's management was very skillful, showing him to be an apt pupil of his great master.

On the 24th of March the Confederate General Pegram, with twenty-six hundred men, essayed the same rôle of a raider. Advancing toward Richmond, he occupied Danville. His advance was disputed by Wolford's Kentucky cavalry, — a singularly irregular but often effective body of troops, — and he soon made a hasty retreat. On the 30th he was forced to give battle at Dutton Hill, in Pulaski County, where he was defeated by a force of half his number under the command of General Q. A. Gilmore. It was evident that Pegram was not fitted for the difficult work that he essayed, and he was not afterwards troublesome to the State. The inevitable failure of all the other Confederate cavalry commanders when they tried raids in Kentucky shows the singular genius of Morgan's command.

Morgan returned again to Kentucky in June, this time bound on a distant and important errand. The Confederate army was then upon its advance into Pennsylvania. It was necessary to make some diversion in the West. If possible, this diversion was to persuade the Federal leaders that the experiment tried in the preceding year by Bragg was to be repeated. The condition of the Confederate forces in the valley of the Mississippi did not make it practicable for them to undertake any effective large movements in Kentucky; but this dauntless rider felt that if he could effect a lodgment north of the Ohio he might be able to detain a large number of troops in the West, who would other-

wise be employed against Lee,[1] and bring the burden of war upon States that had never felt the infliction. Moreover, his movement in force would lead to an anxiety concerning the invasion of Kentucky.

Morgan started on his important errand with about three thousand four hundred men. He did not at once make a straight way to his objective point, but spent some time in various operations in the State, which were probably designed to foster the idea that he was preparing the way for an invasion in force. On the 4th of July he undertook to capture a force of four hundred men,[2] under Colonel O. H. Moore, of the 25th Michigan, intrenched on a bluff in a bend of the Green River. On his summons to surrender, the gallant Colonel Moore answered that the "4th of July was a bad day for surrenders, and that he would rather not." Several times Morgan hurled his force against this little band, and in the end withdrew with a loss of nearly one hundred, including half a dozen valuable officers,[3] among whom were Colonel Chenault and Major Brent, who had been extremely valuable to him.

After this defeat, hungering for the success that he was so much accustomed to, he essayed the taking of Lebanon, where after a stubborn fight he captured the garrison of three hundred men of the 20th Kentucky, losing in this action about fifty of his men. Again his loss in officers was very heavy, among them his brother, Lieutenant Thomas Morgan. He then struck Bardstown, near by, where a force of twenty-six men, in-

[1] Morgan's crossing of the Ohio seems to have been contrary to the express orders of Bragg. See *History of Morgan's Cavalry*, p. 410.

[2] This is the force as given by Duke. Collins gives Moore's force as two hundred men.

[3] See Collins, i. 125.

trenched in a barn, held a detachment of his force for a day, until he brought artillery to bear upon them.[1] After these unprofitable experiments he set about his more important errand. On the 8th he arrived at Brandenburg, on the Ohio, about forty miles below Louisville, where his artillery soon captured two steamers, which he used to ferry his troops across the river. Despite the resistance offered by the Indiana militia and a small gunboat, his loss in crossing was very trifling. A small scouting party under Captain Hines had previously explored the country in the neighboring parts of Indiana, and found no Federal force to oppose him except the militia.

Once upon the northern soil he began the most singular raid of the war. Moving a little north of the Ohio River he turned to the east and began his accustomed work of destroying all the railways that his march intersected. At Corydon he captured five hundred militia, after a short and slight resistance. He had another skirmish at Salem, but so far there was no vigorous opposition to his march. It became evident to him, however, that his task was one of unusual hazard. The telegraph dispatches, intercepted by his skillful operators, showed that the country was rising, and that he would therefore have to beat away large gatherings of militia, reinforced by regular troops from Kentucky. There was no doubt of his ability to maintain himself against any one such gathering, but in the succession of combats his force would be frittered away. He therefore sought to return to the southern side of the Ohio at the earliest possible opportunity.

The retreat of Lee from Pennsylvania had taken

[1] Collins, i. p. 125.

away the object of his raid, and the rapid rising of the country made his task more perilous than it promised at first to be. His determination to retire seems to have been taken soon after he passed north of Louisville. He tried the passage of the Ohio at Twelve Mile Island with a detached force, but lost the men he sent upon the scout. He next sought to cross five miles below Cincinnati where the river was fordable, but his scouts found this passage guarded by a force of artillery and infantry which made the effort inadvisable.

There was now a capital stroke open to him, one that could have easily been accomplished; he could have occupied Cincinnati, destroyed the government stores at that point, and demanded a free passage for his force into Kentucky as the price of the safety of the city. The available force guarding the city did not equal the numbers of his own command; they were all infantry, except two or three hundred mounted men. These scanty troops were distributed over an area of at least forty square miles of territory. He could have beaten a part of this scattered force, or gone between its detached positions, and in an hour he would have been in a position to dictate his terms for crossing into Kentucky. In place of this, although he knew that a sudden rise of the river gave passage to the Federal gunboats, he continued his ride to the east. His only chance now was to ride so far up the Ohio that he could get beyond the freshet that opened the way to the gunboats.

Each hour his danger increased; six regiments of Kentucky cavalry were now on his trail, and though he swept the country of the fresh horses he could not keep more than twelve hours' march ahead of them. The

rapidity of his movement was marvelous. On one of his marches, from Sunman to Williamsburg, his weary men and horses made ninety miles in thirty-five hours, — a speed in an enemy's country that it would be hard to parallel in military history. Each time his scouts came to the Ohio they found the Federal gunboats, and transports with troops, watching the crossings, giving him no chance of escape.

Finally, on July 18th, at Buffington Island, near the mouth of the Kanawha, he turned at bay, and tried to force a passage of the river. His men were exhausted from their ride of over eleven hundred miles, and the necessary wear of mind that attends such expeditions. After a brief resistance some companies of them surrendered. A large part of his command tried to swim the river, but the greater part of these were captured by the 1st Kentucky regiment of Federal troops, and many were killed in the water. Four companies only escaped into Virginia. A portion of the command, including their leader, deterred from crossing by the fate of the others, continued their eastward march: Finally, on the 26th, the remnant of this force was surrounded, and forced to surrender. Morgan himself was taken, and of all those who crossed the Ohio less than five hundred escaped to the Confederacy.[1]

Greatly to the disgrace of the Union arms the Federal commander refused to observe the cartel made by Morgan with the officer who received their surrender. The surrender was made to a Captain Burbeck, of the Ohio militia, who doubtless exceeded his powers in venturing to determine the conditions of capitulation; still, by all the usages of war, the Federal army was bound to

[1] See Collins, i. p. 127.

observe the conditions made with the enemy by any officer commanding a detachment of troops. Morgan and his officers were imprisoned in the Ohio penitentiary, and treated as convicts, a debasement of the customs of war for which General Burnside must be held accountable. It is a satisfaction to all who have the honorable spirit of soldiers, that goes so far to redeem war, that these adroit fellows soon dug their way under the walls of their prison and were again free.[1]

Captain Hines, who planned the escape, was one of the most remarkable characters in Morgan's command, rich as that body was in gifted men.[2] The party of fugitives entered a railway train, rode to near Cincinnati, where they crossed to Kentucky.

[1] They left their respects for their jailer, and a brief account of their escape, giving in their note an account of the time and labor spent in their mining operations. See Collins, i. 129.

[2] Few would imagine that the present able and dignified head of the Kentucky Court of Appeals, the chief justice of the Commonwealth, was once the dauntless partisan commander, Captain Hines. For years he was the head of any desperate enterprise that Morgan undertook. After Morgan's final overthrow, he was engaged in other enterprises of peril. He had charge of the projected, and nearly successful, attempt at releasing the Confederates confined in Camp Douglas, near Chicago, arming them, and with them creating an army that should be strong enough to force its way to the Confederacy.

CHAPTER XIX.

THE END OF THE WAR.

THE desperation to which the people were brought by the system of guerrilla raids can hardly be described. In the year 1864, there was not a county in the State that was exempt from their ravages. The condition of the Commonwealth reminds the historical student of that which came with the Thirty Years' War in Germany, and with the latter stages of the war between king and parliament in England. It is the normal condition when a country is harried by the discords of a civil war, and especially when there are no longer large armies in the field.

On the 4th of January, 1864, Governor Bramlette, late a Federal officer, who at the outset of his political life was opposed to such summary and unwarranted action, took the singular responsibility of ordering the arrest of the Confederate sympathizers, to be held as hostages for the return of all persons captured and detained by guerrillas. Great as was the need of protection from these freebooters, this proclamation was a serious transgression of the laws which the governor was sworn to maintain, and as such met the condemnation of a great part of the Union men. Afterwards the legislature endeavored to secure the suppression of this evil by providing more numerous and more effective troops to be used for State defense. This legislature

voted the large sum of $5,000,000, for the purpose of paying for the adequate internal defense of the State.[1]

On July 16th, General Burbridge, then commanding in the State, issued a sanguinary order of reprisals, requiring that whenever a citizen was killed by guerrillas four prisoners chosen from this class of marauders were to be taken to the place where the deed was done, and in retaliation shot to death. Theoretically this principle of retaliation is, though severe, within the usages of war. The difficulty was that it was never easy to determine among a lot of prisoners who belonged to a properly commissioned command, and who were simple brigands. Under the order many executions took place, some of men who probably were to be classed as Confederate soldiers. The brutal violence of this plan made it extremely distasteful to all fair-minded people. It was carried out without even the semblance of law given by the proceedings of a court-martial. Nor had it the sorry merit of success. It merely gave an additional bitterness to a contest that was becoming a reproach to the name of the race.

In the August election the interference of the military with the polling was even more serious than in the previous year. In the election period an extensive system of military arrests was begun, designed to overawe those who were disposed to criticise the action of the military commanders. This system of provost marshal government so disgusted the people that a majority of them, though retaining their loyalty, could no longer be trusted to vote for the candidates approved and almost nominated by the Federal commanders. Fortunately, the election of the year was not of a general

[1] Collins, i. 130.

character, or the result would have given encouragement to the rebellion, by showing that the Union men were now divided into two distinct divisions: the smaller part made up of those who were willing to go to any extremity in their toleration of the arbitrary acts of a provost marshal system that gave effect to the oppressive and often brutal humor of the courts of war; and another larger part who, believing that the immediate danger from the armed enemy was over, were disposed to give their principal attention to the men who were undermining the foundations of civil government within the Commonwealth.

The only office of importance that was to be filled at the August election of 1864 was that of judge of the Court of Appeals for the Third District. Alvin Duvall was a candidate for reëlection; his course as a jurist was satisfactory to a large part of the people, and he was renominated for the office. Although he had in no public way indicated any sympathy with the rebellion, he was not regarded as a strong Union man. If the matter had been left to the people, it is likely that he would have been defeated at the polls. But the military authorities resolved to arrest him just before the election, but he escaped from the State, and went beyond their control. They then ordered that he should not be allowed to stand as a candidate, and put troops at the polls to enforce this order, their aim being to secure the election of M. M. Benton, whom the Federal officers had adopted as their candidate. To defeat this end the conservative Union men nominated Judge Robertson, telegraphing his nomination on the morning of the election to the polling places. As the military guards had no orders to refuse the tender of votes for

Judge Robertson, he was elected as a protest against the arbitrary action of the military arm; a large number of citizens testified their disgust by remaining away from the polls.

This iniquitous system of interference with the civil law had now pretty thoroughly separated the better class of the Union men from all sympathies with the Federal government. But worse was yet to come. In all the campaigns and battles in Kentucky, there had always been shown the utmost consideration for women and children. The soldiers of both armies, be it said to their great honor, were singularly considerate of them. Even when the battles raged through the towns, as they often did, the non-combatant class was tenderly cared for.

But in 1864 the provost marshals of the State, mostly men who were not soldiers in any proper sense, who had none of the better traditions of war, began to arrest and imprison women on charges of sympathy with the rebellion, correspondence with the enemy, and the like. Women with their children were banished from the State to Canada under a guard of negro soldiers, or sent to prison. Women whose children, brothers, and husbands were in the Confederate army, or dead on its battle-fields, were naturally given to uttering much treason in their speech; but it was a pitiable sight to see the power of the Federal government turned against these helpless sufferers.

While this treatment of non-combatants, old men, women, and children, and the interference of the Federal troops with elections, was the principal grievance of the conservative Union men, there was another source of trouble of a more truly political nature, which served

to increase the disaffection of the Kentuckians with the ways of the Federal government.

The Federal government had engaged to leave slavery as it found it in Kentucky and elsewhere. Although there was a certain amount of disgust when the emancipation proclamation came out, it did not in itself make an enduring impression on the minds of the Union men; but when, in 1864, the government began to enlist negro troops in Kentucky the people became greatly excited over the matter. Up to this date the Commonwealth had met the requisitions for troops to carry on the war with a promptness and loyalty unsurpassed by any other State. They naturally considered it as an insult that their slaves, even though such in name only, should be taken from them and put into the army with their own volunteer soldiers. Although this state of feeling will probably not commend itself as reasonable to those who were born in non-slaveholding communities, it was very natural in the Kentuckians. To them military service had always been an honorable occupation, open only to those of the masterful race. They had refused to take into their service any recruits from the free negroes of the State. This blow at their military pride was keenly felt.

The action of the Federal government in this matter of enlisting slaves was singularly vacillating; again and again the process was begun and abandoned on account of remonstrances of the State authorities. It was an unprofitable experiment; the enlistment of white troops was made difficult; a few thousand blacks were secured, but they never proved of much service to the Federal army. The pure negro, though a fairly brave fellow, wants the essential qualities that make a soldier.

His valor is of the passive sort, while the soldier needs an active pugnacity. Negro troops will stand a fire that they cannot return as well or better than whites; they will do well in distant firing, except that they are almost invariably bad marksmen; but they cannot make a charge, and a small body of rebels coming swiftly upon them with that ugly yell, which rings in the ears of those who heard it at the distance of half a lifetime, would break any line of them, however unshaken before. These remarks do not apply to mulattoes, or to negroes bred in freedom; such men seem to make fairly good soldiers.

This bitterness between the conservative Union men and the Federal commander grew to such height that in September, 1864, there was grave danger of an actual revolt of the Kentuckians against their oppressors. The State authorities were now fairly arrayed against the Federal provost marshals and their following. General Hugh Ewing, commanding the district, had ordered the county courts to levy a tax sufficient to arm and pay fifty men in each county. His order was answered by Governor Bramlette, who, in a proclamation, forbade the county courts giving effect to the order. Although Governor Bramlette represented the ultra Union men, there can be no doubt that he would have striven to maintain his position by the use of force.[1] Lincoln revoked Ewing's order, and so this critical point was passed. At the same time an examination was ordered into the conduct of certain knaves, who had for months ruled Western Kentucky in a fashion that had not had

[1] It is reported to the writer that Governor Bramlette was at this time on the point of issuing a proclamation recalling the Kentucky troops from the field.

its parallel since the tyrannies of the Austrian Haynau. A commission, composed of General Speed Fry and Colonel John Mason Brown, checked the iniquities, and made such a showing that General E. A. Paine, Colonel H. W. Barry, of the 8th United States Negro Artillery, and Colonel McChesney, of Illinois, and a number of subordinate officers, were removed. It was charged that they had been guilty of extreme cruelty and extortion.[1]

These blows at the system of inflictions were not sufficient to do more than subdue, for a moment, the worst forms of the evil. This was too deep seated for easy remedy. General Burbridge had an overbearing spirit. He gathered around him a set of advisers who, it was asserted, acting as a secret inquisition, sent many Union men into prison or banishment, simply because they protested against the Federal outrages. A sort of fury seemed to possess many men hitherto of good qualities as citizens or soldiers.[2]

So far from these brutal reprisals diminishing the evils of the guerrilla warfare it grew each day to be a more crying evil. The Home Guards, which before had carried on a tolerably effective defense against these bands, became disgusted with the inefficiency and opposition of the Federal commanders. A vast number of

[1] See Collins, i. 141.

[2] The partisan newspapers of the day inflamed the public mind by reckless charges against the leaders of both parties. The Rev. Dr. Robert J. Breckinridge, a devoted Union man, who did much to determine the destiny of the Commonwealth in these trying days, was especially selected for assault. Collins, who was animated by strong pro-southern sentiments, accuses Dr. Breckinridge of brutal language in reference to the Confederate sympathizers. (See Collins, vol. i. p. 142.) A careful inquiry has convinced the writer that this charge is entirely unfounded.

bandit gangs, nominally in the Confederate army, but really without any control from commissioned officers, roamed over the State in all directions, robbing, murdering, and burning as they went. It seemed for a time as if civil government would be broken to pieces by these two mortal foes to order, the guerrillas and the provost marshals. Even the small bands of Federal soldiers pursuing the guerrillas learned so far to imitate their ways that Burbridge himself was compelled to issue an order providing severe punishments for outrages by the Union troops. All these accumulating evils showed how true was the instinct of the people of Kentucky who strove to keep the machinery of their civil system intact. There is a government by armies, and a government by citizens, but the two can never be blended without the utmost danger to the State.

It is the painful duty of the historian to go yet further in the history of this pernicious system that was developed by General Burbridge's agents. All that he did in the effort to suppress the guerrillas and to clear the State of treason may be set down as grave blunders of a brave, well-meaning, though most misguided soldier. The next series of acts had, it was generally believed, the purpose of improperly taking money from the farmers of the State.

The first step, in this new class of inflictions, was to order the farmers to sell their pigs to designated agents at a *fair* price; next Burbridge commanded that no pigs should be sent out of the State without a special permit, but should be sold to the aforesaid specified agents. These agents offered a price considerably below that paid in the Cincinnati market. The ostensible reason of this action was that the Federal government had

given a contract to certain parties in Louisville to furnish one hundred thousand head of swine, and that if the farmers were allowed to sell in their natural markets the contractors would not be able to obtain a sufficient supply.[1]

General Burbridge's agents supported this demand by many threats of confiscation and other penalties. Naturally the beginning of a system of confiscation of private property aroused an even more general and furious indignation than the mere political acts of oppression. Here again the protests of the State government were heard by Lincoln, and after about a month of wrestle with the evil, Burbridge's famous "hog order" was revoked by the Federal government. Notwithstanding the revocation of this order, General Burbridge was retained in command for some months afterwards, but the citizens were yet to suffer for some months under this man more exasperating inflictions than came to them from the honorable war of other years. There can be no doubt that the people of Kentucky endured far more outrage from the acts of the Federal provost marshals than they did from all the acts of legitimate war put together.

The military events of 1864, apart from the incessant though trifling encounters with guerrillas, were limited. The hard-pressed armies of the Confederacy could not spare men to threaten Kentucky with invasion in force. On the 25th of March Forrest attacked Paducah, on the Ohio, at the mouth of the Tennessee. It was defended by Colonel Hicks, with a part of the 16th Cavalry, a portion of the 122d Illinois, and a small body of negro troops. Forrest exhibited his usual courage and

[1] Collins, i. 145.

his usual ill-judgment in some fierce assaults on Fort Anderson, which was held by the intrepid Hicks, with the aid of the gunboats Peosta and Paw-paw. Forrest, after two days' battle, was finally beaten off with great loss. The Federal loss was one hundred men.

The only other operation of importance was the last raid of Morgan into the Commonwealth. He came with a force of two thousand three hundred men. This time he came by way of the eastern line of the State. He slipped by Burbridge, who was watching for him in Pike County, and quickly made his way to Mount Stirling, which he captured, after a vigorous resistance, from Captain Barlow, of the 40th Kentucky, who had but seventy men. He next, with a part of his force, tried to take Lexington, but, after some successes, was beaten off by the 4th Kentucky cavalry.

While engaged in foraging and burning bridges on his old "stamping ground," his force was surprised in the night by three brigades of Federal cavalry, under the command of the gallant Colonel John Mason Brown, which by a forced march of ninety miles in thirty hours came up with a part of the Confederate force, though Morgan was himself then near Lexington. In the confusion and the darkness the Confederates escaped, after losing about two hundred men. Burbridge's men, exhausted by their long march, were in no condition for pursuit. Morgan with his men, refreshed by his rest near Lexington, pushed on to Cynthiana, where, with his usual fortune, he was successful in capturing a train with several hundred troops, who were looking for him. The town was defended by a force of Home Guards, who made a very obstinate resistance, fighting from building to building until a large part of the town was burned and severe punishment inflicted on the enemy.

While one part of Morgan's force was engaged in the battle at Cynthiana, another part was trying to get possession of Frankfort. The latter place is strong by nature of its environing hills, and had a few small forts defending the approaches. The governor, the citizens, and about two hundred and fifty troops made a brilliant defense against two assaults, and repulsed the enemy. On the 12th, Burbridge, who was as effective as a soldier as he was incompetent in civil affairs, made another forced march from Mount Sterling, and struck Morgan's force with a superior number of cavalry. After an hour's fight the whole of Morgan's force was broken, with a heavy loss in killed and wounded and several hundred prisoners.

Gathering the remnants of his command, shorn of half of its original strength, Morgan fell swiftly back through Eastern Kentucky into Southwestern Virginia. Three months afterward, on September 4th, this remarkable soldier was shot while endeavoring to escape from a force that had surrounded the house, in East Tennessee, in which he had lodged, at some distance from his command. Thus ended the life of one of the most remarkable soldiers that this country has ever produced.

The other military operations of importance were two extensive raids by Burbridge and his mounted men into Southwestern Virginia. These movements were intended to break up the important salt works of that country, which supplied the Confederacy with that necessary element of their rations, and to destroy the lines of communication that connected Richmond with the Southwest. The forces engaged were principally composed of mounted Kentucky troops. Their movements

had nothing of the brilliancy and dash of Morgan's movements, yet they served to show how penetrable was the once strong wall of the Confederacy. The work was accomplished with no great loss of life on either side, but the Confederacy received a telling blow upon its resources of war.

Outside the State the successive great battles in Georgia and Tennessee took a heavy toll of the life of Kentucky that was in the armies of either side. The hundreds of skirmishes with guerrillas and raiding parties within the State were even more fatal than the regular warfare. It is possible that 1864 was the most destructive year of the war to the citizens of Kentucky, whether fighting in the armies or skirmishing by their firesides. It is not possible to compute the loss of men from these various forms of fighting, but it seems probable that not less than five thousand were killed or disabled by gunshot wounds within the year.

Strong as was this draft on the manhood of the State the supply of troops continued. For a time, in the worst fury of the wordy combat between the State and the Federal authorities, the enlistments fell off and the Federal government ordered a draft.

An effort was made to carry out this selection by lot in certain counties, but it utterly failed to furnish men. The conscripts to a great extent went into the guerrilla bands, and many hundreds joined the Confederate army. A very large part of those chosen were found to be suffering from disabilities unfitting them for soldiers' work. At this time, at least four fifths of the men fit for military life were in either army. Still the effort at conscription stung the pride of the Kentucky people, who could not bear the idea that it should go

into history that in a war the people of the Commonwealth were driven to the lines of battle. Many men who had been in the Confederate army, and had on one ground and another returned to the State, enlisted in order to relieve their State of this reproach. On January 1, 1865, the quota of the State was full. Out of a total enrollment of 133,493, of military age, eighteen to forty-five, the State had furnished and mustered into the United States service 76,335. About 7,000 more enlisted, but were not mustered in, making a total of about 83,000 men. Besides these there was a force that may be counted as 10,000 men, who were engaged as Home Guards, or, altogether, nearly one tenth of the total population of the State. Add to this at least 40,000 men of military age out of the State in the military service of the Confederacy, and we have a larger per cent. of the population given to war than has ever been furnished by any modern State in the term of three years.

These estimates are given on the authority of General Finnell, Adjutant-General of Kentucky during the last three years of the war. During these years of trial the State furnished almost as many men to military service as had ever voted in any election. It should be remembered that these men were volunteers from the citizens of the State, and that they were in no part composed of the substitutes who formed so large a part of the forces from the most of the Northern States. It should also be borne in mind that at this time in her history Kentucky had for years been sending a large part of her youth as colonists to the other States of the Mississippi Valley. Thousands of them were in the regiments of the other Western States.

CHAPTER XX.

THE STRUGGLE FOR CIVIL GOVERNMENT.

JANUARY, 1865, brought some lightening of the clouds that had hung over the State for the previous four years. President Lincoln annulled the iniquitous orders concerning the limitations of trade in Kentucky, and the Confederate government at last, and hardly soon enough for their honor, took steps finally to disavow the action of the guerrillas in the State. For many months the regular troops of the Confederacy had repudiated all connection with these outlaws, and even in some cases had joined with the Home Guards in hunting them down.

The legislature met under circumstances of a very exasperating nature. The lieutenant-governor and president of the senate, Colonel Richard T. Jacob, a gallant soldier in the Federal army, had been arrested and sent into the Confederacy by General Burbridge, because he dared to criticise in a public manner the conduct of the Federal authorities in their management of affairs in Kentucky. There is no sort of question that this gallant officer and devoted Union man was absolutely loyal to the national government; to it he had given all that a devoted soldier can give, save his life. At the same time Colonel Wolford, a partisan commander, who had done excellent service with his regiment of irregular cavalry, was subjected to the same

treatment. Even in his criticisms of the government he made it always clear that his resistance was to the illegal action of the Federal authorities and not to the government which they disgraced.

Early in February, Lieutenant-Governor Jacob escaped from the Confederate lines and returned to his place in the senate. This banishment of Jacob and Wolford was followed by an order from General Burbridge to his subordinates to resist the State government, which was at that time trying to raise a sufficient force of State troops to hunt down and crush out the guerrilla bands. Burbridge not only sought to nullify this action of the Commonwealth in raising new troops, but ordered the muster-out of all the State troops now in service.

Soon after the assembly of the legislature a committee was appointed to visit Washington and lay before the President the deplorable condition of the Commonwealth due to the conduct of Burbridge and his party. The remonstrances of these ambassadors, and the attention which Burbridge's acts had begun to attract in the whole country, led to his removal from command, thus relieving the State from the rule of a man who has been well named the "military Jeffreys" of the war. He was replaced by General Palmer, a man of much better temper, who, though he fell under the same evil influences which had guided Burbridge in his course, never disgraced his calling.

The people now began to act with more energy in the suppression of the guerrilla warfare. The small Confederate bands, from time to time within the State, did not hesitate to treat them as public enemies. A large part of the motive that led even decent citizens

to take up with these marauding bands, or to give them aid and comfort, came from a spirit of protest against the arbitrary acts of the Federal officers. As soon as there seemed a chance that these evils were about to be mitigated, the people felt like regaining for themselves a better public security, and took efficient steps for their protection.

In February the thirteenth amendment to the Federal Constitution was presented to the legislature for action. This amendment provided for the unconditional abolition of slavery within the United States, but did not secure any compensation for the value of the slaves within the loyal States. The subject was referred to the judiciary committee of the State senate. Two reports were made: one, the majority, favoring the rejection of the amendment; the other its acceptance, with the request that Congress give compensation for the value of slaves held by owners who were loyal to the government during the rebellion. The majority report was accepted, both in the senate and house: in the former by a vote of twenty-one to thirteen; in the latter by fifty-six to twenty-eight. The thirteenth amendment was soon after adopted by the requisite number of States, and in this way slavery quietly lost its legal position, though its life had been practically extinguished by the events of the war.

There was among Kentuckians a certain sense of disgust that this amendment should have been adopted through the vote of "reconstructed" Southern States, with governments essentially fictitious. Still, despite the evident injustice arising from this appropriation of their property without process of law, not much attention was paid to the matter. The evil that came

from the overthrowing of their labor system and the disappearance of property valued for taxation at over $100,000,000 in 1860, and at that time worth at least double this amount, was forgotten in the anticipation of a happy end of greater ills. As at the outbreak of the war slavery had a small place in the public mind, so this last step in its overthrow found the people with only a languid interest in its pecuniary importance.

When, on April 13th, Johnston's army surrendered to Sherman, an almost universal cry of joy went up from the people of Kentucky. The past losses and trials were forgotten. Although the better part of its population was dead, wounded, or worn out by the fatigues of hard campaigns, which generally leave chronic troubles that are often more destructive to vitality than those of sword or ball, a wonderful uplift of hope came upon the people. At the moment, they thought all their trials over. None imagined that the war was to draw consequences in its train that would keep them disturbed for many years to come.

This sense of strength and new life manifested itself in many ways. Even before the war was finished, but when the movement of Sherman to Savannah showed that the end was at hand, the legislature passed an act accepting the gift of the Federal government to found an agricultural school, and arranged at the same time to add to it the other departments necessary to make a school that would have some of the qualities of a university. Some intelligent citizens, led by Colonel J. B. Bowman, arranged for the consolidation of the old Transylvania University with a college then at Harrodsburg, known as the Kentucky University, which, with the agricultural college, were to be placed at Lex-

ington, in the old Transylvania buildings, and in the neighboring county. The whole was added to by subscriptions among the people, amounting to $200,000, made while the State was still struggling with the guerrilla bands, and trying to save its social order from the peril these disturbances brought upon it. Provision was made for an increase of the school taxes in the local districts. In many other ways the Commonwealth now showed its recuperative power.

It was some time before the old troubles with marauding bands were quieted, but the State forces industriously hunted them down, and the more decent members of these gangs at once crept back to civil life.

By the 1st of July the State was so secured in its position that with perfect safety the Federal troops could have been withdrawn from the State, and the civil government left to go its appointed way. This was, unhappily, not to be. The appetite for military methods had gained a very strong hold in the United States. The armies came home, and went again to their fields and firesides, or, where these were no more, began again to create for themselves places in the world. There were no better and more peaceful citizens than the veterans of the two armies, and no relations were ever more friendly than those between the men who learned to respect each other's manliness in a war that tried them well. Yet it suited the purpose of a political body that had fattened on the system of passes and permits and the other profitable complications of the Civil War, to maintain in time of peace a system that had its only justification in the hard conditions of war, if it can find justification at all.

If Lincoln had survived we may well believe that his

admirable good sense, which enabled him to help his native State whenever he could see her trouble, would have removed these barriers to the tide of peace and good will that came like a flood upon the people. His death and his replacement by a cheap and small-minded man brought on the last and most painful stage of the struggle, that in which a disarmed and war-worn people were driven to fight for the elementary rights of good government against the tyrannous exactions of a political junta which was insensible to the nobility of the victory.

Fortunately for Kentucky it was not possible for the party in power to sink the State to the depths of political degradation into which all the rebellious States were at once plunged. There was no valid pretense at hand for overthrowing the machinery of the State government, though there was every evidence of a desire to do so. Her sufferings were trifling compared with those of the States in that hell on earth, the reconstructed South; still, as we shall see, even Kentucky had a time of purgatorial existence, which delayed the period of quiet and left a mass of painful memories that will hardly ever be forgotten.

The first evidence that the Federal authorities were unwilling to accept the end of the war as the beginning of peace came in the August election of 1864. The expatriation laws passed in former years being still in force, the returned Confederates were not, in the terms of the law, citizens of Kentucky, and were not allowed to vote. Governor Bramlette suitably warned the officers of election within the State to this effect by means of a proclamation. This act of expatriation had been declared unconstitutional by two judges of the

State courts, and there was a general feeling that as the war was over the legislation on which this exclusion rested was revoked by the issue of the war.[1] This was properly a State question, and the impropriety of Federal interference was clear; yet in this election many polling places were surrounded by Federal soldiers, who undertook to purge the poll. In some cases negro soldiers were used for this exasperating work, apparently with the intention of making the act as offensive as possible.

The result of this interference with the polls was to still further widen the breach between the Radical and Conservative parties. There was only one State officer, a treasurer, to be elected, and for this office the Conservative candidate had 42,187, and his opponent, a more radical Union man, 42,082. The size of the vote in a contested election shows that the ex-rebel element did not take part in it. Two Conservative congressmen were elected to four Radical members, and the complexion of the State legislature was utterly changed. The senate now stood twenty Conservatives to eighteen Radicals, a majority of the latter holding over from the last election, while the house stood sixty Conservatives to forty Radicals. In this remarkable political revolution we behold the work of Burbridge and his like. In two years they did what neither the Confederate solicitations nor arms could do; they had driven the people not out of their affection for the cause of the national constitution, but out of all sympathy with the ways of its representatives then in power.

A more complete or more wholesome political discontent never affected the Kentucky people. A con-

[1] See Collins, i. p. 163.

test into which they had entered with really noble emotions had degenerated into a petty political game. They felt that their vast sacrifices had brought them sore evils for reward.

The good humor arising from the end of the war was still further disturbed by innumerable interferences with every form of civil life. These cases are far too numerous for separate noting. This may serve as a sample: A preacher of the Methodist Church was imprisoned because he opposed a union between the North and South wings of his church, and was detained in confinement without trial until October, 1865; for although the war was over, martial law was maintained in Kentucky. Every petty officer commanding a post had summary jurisdiction over the persons of the people, which he could exercise to gratify private malice or to increase his sense of personal importance.

When, on November 30th, the other border States were relieved from the suspension of the right of habeas corpus, this writ was not restored to Kentucky.[1] Two

[1] The long continuance of the suspension of the habeas corpus act in Kentucky, after it had been restored to the other border States, is to be explained by the fact that the Republican party secured substantial control of the other States, while Kentucky, though she had been the only one of the slave-holding States that had shown a very decided loyalty to the Federal cause, had eluded all the efforts of the Republican leaders to cajole or coerce her into its fold. They chose to assume that Kentucky was at this time disloyal, hostility to their party and disloyalty being then to their minds synonymous terms. At this time the Republican party was principally in the control of men who had no knowledge of the war, no sympathy with its sufferings or its nobler emotions. They had received great political, and often great pecuniary, profit from its events. Unhesitatingly they stigmatized as disloyal the Commonwealth which had given as large a share of its life and treasure to maintain the Union as any other State, which had borne patiently and unflinchingly the most grievous burdens of the struggle, and had in fact clung more closely to the traditions of the Union than any other part of the country.

years had now elapsed since this writ was suspended; the people had borne with the loss of this, the dearest right of a free people, during the trials of actual war impatiently at times, but on the whole with becoming calmness; now, when the State was free from disturbances which the civil law could not control, this vassalage to the military arm became intolerable.

At this stage of their troubles new evils developed in the conduct of the Freedman's Bureau. This organization was probably necessary in the States that had been in the rebellion, but there was nothing in the relations between the negro and the white races in Kentucky that made it necessary to extend its operations to that State.

The first work of the bureau was well calculated to breed difficulty. An act of Congress, passed after the emancipation proclamation, which, as is well known, did not affect slavery in Kentucky, provided that the wives and children of negroes enlisted in the United States army should be free. This act was clearly unconstitutional, as it deprived people of property without due process of law. There were many thousand women and children in Kentucky belonging in the families of black soldiers. The Freedman's Bureau undertook to compel the owners of these people to pay them wages for all the time that had elapsed since the enlistment of their fathers and husbands. The first suit was brought against the distinguished Garrett Davis, senator from Kentucky, one of the most resolute Union men in the State, one who may be ranked with those who had done the most for the Union cause. These prosecutions were entirely fruitless, save in the further irritation of the people, which seems to have been their whole purpose.

When the legislature met in December, 1865, it was

found to be more reactionary than it was supposed to be at the time of the election. It at once proceeded to clear away the whole of the legislation that alienated and disfranchised those lately in the Confederate army. By twenty-one to fifteen in the senate, and sixty-two to thirty-three in the house, it repealed the law that consigned to the penitentiary those Confederate soldiers who invaded the State. It repealed the expatriation act by a vote of twenty-two to twelve in the senate, and sixty-two to thirty-three in the house.[1] All the other laws passed to disqualify or punish persons for sympathy with the rebellion were swept away. There can be no question of the wisdom of this action; the returned Confederates included a very valuable portion of the State life, and their restoration to citizenship dictated by a sound statesmanship had only good consequences. The dangers arising from the animosities of the war were at once done away with, and the breaches that were made in the society of the rebellious States by the continued disfranchisement of its citizens were avoided. It was an absolutely safe measure, considered even from the point of view of Federal politics. The experience of the Confederate soldiers in the years gone by had destroyed all desire of resistance to the Federal authority. It is doubtful if these men had been polled after their return to Kentucky whether they would have voted for a peaceable secession of the Confederate States. The problem of secession had been worked out to the end; the result was generally accepted by the soldiers of the Confederacy as final.

To have maintained the isolation of these returned Confederates would have been an act of political mad-

[1] Collins, i. 166.

ness, and in receiving them in friendliness, the State of Kentucky did an act that unfortunately was not imitated by the Federal government. When in the centuries to come the historian looks over the graves of all those who took part in the Civil War, and sees their acts cleared of all the cloud of prejudice that even now envelops them, we must believe that these acts of reconciliation will stand forth as the noblest features in the history of this Commonwealth. He will see in them the best possible evidence of the civil strength, of the State making and State preserving power, of this people. He will certainly note the fact that the Union party in a border State, when passions were infuriated in the presence of immediate war, had a higher element of reason in their action than was found in the whole Federal Union, the greater and dominant part of which saw nothing of war except in the mind's eye.

The last important problem left by the war was the question of negro testimony in the courts. The old slavery laws in Kentucky limited the testimony of the negro in many ways; white men could not be convicted of grave crime by their evidence. These laws should have been at once repealed, and it is clearly to the discredit of the State that they remained upon the statute books until 1872, though negro testimony was admitted by the courts in 1871.[1] There is, however, some excuse for this delay. The Freedman's Bureau had constituted itself the keepers of the whole negro population, and had in an unfortunate way removed them from the control of the ordinary civil law of the State. To the appeal for the abrogation of the statute the people answered, Do away with this interference with the

[1] Collins, i. 214.

negroes and we will give them equal position before the law. When in 1872 the end of this system of supervision of the negro population by the Freedman's Bureau was abandoned, the resistance to the complete assimilation of the negro with the white in all matters of the law came about. The negro has been found to be a very trustworthy witness, and none regret his full admission to the courts.

The frictions between the provost marshals and the Freedman's Bureau on the one side, and the irritated and resisting people on the other, bred a spirit of lawlessness that came up after the first trouble with the guerrillas had nearly passed away. This series of disturbances is commonly known as the Ku Klux outrages: as is well known these troubles were common to the whole South. They were less serious in Kentucky than elsewhere.

It is difficult to ascertain the precise motive of this outbreak of violence, but as nearly as it can be determined it was as follows: The sudden closing of the war left a considerable amount of social rubbish within the State, both white and black. The negroes, as a rule, behaved exceedingly well in their unaccustomed condition, accepting their new lot of citizenship in an excellent spirit; but a portion of them, especially those who had been employed in the army as teamsters and as camp servants, proved very troublesome. Nearly the whole of this part of the negro people had gathered into small separate settlements away from their original homes, and were under the influence of a bad class of white leaders. This demoralized condition of the lower classes of blacks led to a large amount of stealing; no farmer could keep his sheep or pigs from their

furtive hands; usually the thieving was not accompanied by violence, but in some cases the trouble was more serious. In many counties the negroes organized themselves into marauding bands; there were a number of outrages upon women, an offense that had always been particularly abhorrent to the people of Kentucky, and which they have always visited with condign punishment.

In its beginning, at least in Kentucky, the Ku Klux Klan was probably designed to restrain and punish these transgressions. It doubtless in the outset did certain rude and effective justice. Its cheap mystic accompaniments were certainly well designed to strike terror to the superstitious blacks. When it had accomplished the little good that was possible to a system so fundamentally evil, it fell into the hands of the most wretched class of the population, the very element it was designed to overthrow, and became a great curse to society.

For a time the Ku Klux organization defied the power of the civil law; the secrecy of the action and the terrorism exercised on witnesses, made it impossible to apply adequate punishment through the courts.

Beginning in 1866, this evil system continued in intermittent action until 1873. Like most social evils in a vigorous state, this system finally brought about its own remedy. For years the country folk tolerated the outrages for the profit that they brought to them; their pigs were safer, even if the common people of the realm did suffer a bit. The old dislike of lawlessness, common to well organized societies, was lessened by the long time of strife. For several years the Ku Klux vented its outrages upon the essentially criminal class, the rough justice of many of their actions made the

mass of the people pardon their worst crimes. Finally, there came a general sense that they were going too far, and that they should no longer be tolerated. When this feeling became general they were speedily crushed out. With the Ku Klux disappeared the last remnant of the greater ills that came in the train of the war.

Regarding the Ku Klux system and the Freedman's Bureau as the closing evils of the war, we may accept 1873 as the last year of that great revolution, which began in 1860, moved swiftly to the state of war, raged for four years with a fury of thought, words, and actions unequaled in any struggle of the race, and then for eight years left its wreckage to trouble men weary with the nobler part of their great labor.

That part of the development of Kentucky which can be in any proper sense termed historic ended in 1873, with the sweeping away of the last cloud left by the war; all the rest of its life is still in the process of evolution. Before we turn to consider the present condition of the State let us bring before our minds the outline of these years of rapid change through which this people had just passed. In 1860, when after infinite debate Kentucky slowly came to the remarkable resolution that she would bar her doors to the great storm that was about to move heaven and earth about her, the Commonwealth was still a mediæval society in all its essential qualities; the institution of slavery had acted like a pickle to preserve unchanged much of the notions that belonged in other centuries of the race's life. Her very resolution to stand aloof in a war in which the nineteenth century fought against the seventeenth, shows that the people, despite an intense interest in politics, had not come to a point of view

whence they could see where their social life stood in the world. They were as much out of the world of their day as if they had been shut in on every side by mountain heights; a clean-blooded, land-loving, fairly thrifty lot, they had, through their activities, not suffered any of the degradation that comes to other races from their connection with slaves. They had escaped the poverty of their beginnings, and had attained to an almost ideal abundance of the primal needs of civilization. Their physical condition was probably better than that of any other population in the world. This is shown by the statistics of the Sanitary Commission.

This beneficent society not only did an admirable work of charity during the war, but it left a valuable body of fact in its carefully made measurements of two hundred and fifty thousand men. These measurements were so tabulated as to separate men from different parts of the country. The results were carefully collated and classed by the distinguished mathematician, Dr. B. A Gould, now well known as the astronomer of the Argentine Republic. From this excellent digest of results of the measurements made by the commission the extracts given in the accompanying table are taken. Dr. Gould's results give the measurements of troops from Tennessee and from Kentucky, but as those from Kentucky were doubtless far more numerous than those from Tennessee, for the reason that the Federal recruits from Tennessee were relatively few in number, we may safely regard these tables as representing the physical conditions of the Kentucky people. (See table on page 373.)

Moreover, the general physical status of the population in Kentucky and Tennessee is much alike, though

A Table of Measurements of American White Men compiled from Report of the Sanitary Commission, made from Measurements of the United States Volunteers during the Civil War. By B. A. Gould.

Nativity.	Mean Height. No. of men.	Mean Height. Height in inches.	Mean weight in pounds.	Mean Circumference of Chest. Full inspiration. Inches.	Mean Circumference of Chest. After each inspiration.	Mean circumference around forehead and occiput.	Proportion of tall men in each 100,000
New England	152,370	67.834	139.39	36.71	34.11	22.02	295
N. Y., N. J., Penn.	273,026	67.529	140.83	3..06	34.38	22.10	237
Ohio, Indiana	220,796	68.169	145.37	37.53	34.95	22.11	486
Mich., Mo., Illinois	71,196	67.822	141.78	37.29	34.04	22.19	466
Seaboard Slave States			140.09	36.64	34.23	21.93	600
Kentucky, Tenn.	50,334	68.605	149.85	37.83	35.30	22.32	848
Free States west of Miss. R.	3,811	67.419		37.53	34.84	21.97	184
British Maritime Provinces	6,320	67.510	143.59	37.13	34.81	22.13	237
Canada	31,698	67.086	141.35	37.14	34.35	22.11	177
England	30,037	66.741	137.61	36.91	34.30	22.16	103
Scotland	7,313	67.258	137.85	37.57	34.69	22.23	178
Ireland	83,128	66.951	139.18	37.54	35.27		84
Germany	89,021	66.660	140.37	37.20	34.74	22.09	106
Scandinavia	6,782	67.337	148.14	39.39	35.37	22.37	221

[1] Slave States, not including Kentucky and Tennessee.

all who know the two States will doubtless agree with the assertion that the Kentucky people are physically the more vigorous of the two.[1] It should also be no-

[1] Tennessee has been so unfortunate as to receive a large amount of blood derived from the settlements made in the seventeenth century on the waters of Pamlico and Albemarle Sounds. These people were imported from various parts of Europe by a land company. A portion of the population was excellent, but the mass of it was by far the worst of any brought to America under English auspices.

From these settlements has come the greater part of the "sand hillers," "crackers," "dirt eaters," "red necks," and other opprobriously named varieties of poor whites in the South. Kentucky has been so fortunate as to escape any large share of this population. Still, any one, whose eye is trained to recognize this streak of blood, can occasionally identify families derived from it, especially along the southern border of the State. The western march of this unhappy mongrel people passed south of Kentucky. They may be traced across the country from the Carolina coast to Central Arkansas and Southern Missouri.

ticed that the Confederacy received the youth and strength from the richest part of the Kentucky soil. The so-called Blue Grass soil sent the greater part of its men of the richer families into the Confederate army, while the Union troops, though from all parts of the State, came in greatest abundance from those who dwelt on thinner soils, where the people were of a less exuberant type of body. It is most likely that the averages given in the tables would have been distinctly greater if they had included the thirty or forty thousand men who went into the rebel army. Even without these corrections the form of the men, as determined by the measurement of fifty thousand troops, is surprising. Their average height is nearly an inch greater than that of the New England troops, they exceed them equally in girth of chest, and the circumference of head is also very much larger. In size they come up to the level of the picked regiments of the northern armies of Europe. Yet these results are obtained from what was a levy *en masse*, for such in effect is a call to arms that takes more than one in ten of the total population.

Although of fighting ancestry, this people had not been generally inured to war for more than a generation. They proved, however, to be excellent material for the varied work of soldiers. Of the hundred and thirty thousand or more Kentucky men who bore arms during the Civil War a very good report can be given. Both as infantry and cavalry they did exceedingly effective service in both armies. The Kentucky troops in the Confederate army being fewer in number, and from the richer and more educated part of the State, were as a whole a finer body of men than the Federal troops from the Commonwealth. The rebel exiles were the

first running from the press, and naturally had the peculiar quality of their vintage more clearly marked than the later product. We find in this remarkable body of men a great capacity at once for dash and for endurance. The force under Morgan, which owed its peculiar excellence more to the quality of the men and subordinate commanders than to the distinguished leader, developed a new feature in the art of war; vigilance, daring, fertility of resource, a race-horse power of hurling all the husbanded force of body and mind into a period of ceaseless activity, were necessary for these wonderful raids. It is commonly supposed that the French are the masters of light cavalry operations, but all the history of its famous cavalry does not afford such a record as may be found in one of Morgan's many raids.[1] The reader, unless perchance his experience aid him, will not be able to imagine the native force and endurance that is required for such work. To break through the lines of the enemy, to live for weeks in an atmosphere of battle, fighting and destroying by day and marching by night, makes a life that only men of very tough fibre can endure. If we desire evidence that the men of Kentucky were of good condition, we can perhaps find the best proof of it in the history of the light cavalry brigades that they furnished to the Confederate army.

The history of the Federal brigades of mounted troops makes almost as good a showing for these qualities. They lacked subordinate officers of Morgan's type.

[1] The reader will find himself repaid by a reading of the excellent *History of Morgan's Cavalry*, by General Basil W. Duke, a soldier not second to his chief in ability, and to whom a large part of the efficiency of that command was due.

There were many excellent men among her officers, but no one brigade had such lieutenants as Basil Duke, Hines, Howard Smith, Grigsby, and a host of other extraordinary men that led his forces.[1] A curious feature in the history of Morgan's command was that it was officered and controlled almost entirely by persons of no military education, — Grigsby, who came into it late in the service, being the only West Pointer in the force. The nearly uniform failure of civilian commanders in the larger operations of the war is in striking contrast with the admirable success of untrained men in this peculiar field of action.

The success of the Kentucky troops in the infantry service was as marked as that of the mounted arm. Of their soldierly quality and endurance a part of the history of the First Kentucky Confederate Brigade, given in outline in the foot-note, must serve as a sample.[2]

[1] That these men who made Morgan's brigade so able were not mere madcap soldiers is proven by the subsequent history of those who survived their perilous and weary service. Basil Duke is now a distinguished lawyer; Hines, the chief justice of Kentucky; Howard Smith was long the auditor of Kentucky, and is now its railway commissioner; Grigsby, now dead, worn out by his wounds, was a prominent legislator and a most valuable citizen; a host of other names could be added to these.

[2] The following statement concerning the history of this brigade during the campaign of 1864 was given me by my friend, General Fayette Hewett, now auditor of the Commonwealth, who was adjutant of the command: —

"On the 7th of May, 1864, the Kentucky Brigade marched out of Dalton, 1,140 strong. The hospital reports show that, up to September 1, 1,860 wounds were taken by the command. This includes the killed; but many were struck several times in one engagement, in which case the wounds were counted as one. In two battles over fifty-one per cent. of all engaged were killed or wounded. During the whole campaign there were not more than ten desertions. The campaign ended with 240 men able to do duty; less than fifty were *without* wounds."

It will be seen from this record, that in the long fighting retreat of Johnston's army this command did a work unparalleled in the history of retreats in the face of continued defeat. In one hundred days this little war-worn band, all that was left from the wreck of a score of battles, numbering at the outset of the retreat only 1,140 men, took 1,860 mortal or serious wounds; in two actions they lost over fifty per cent. of all engaged, and at the end, with but two hundred and forty fit for duty, there were but ten men who could be reckoned as deserters. The reader should remember that this campaign came at a time when the hope of the Confederate armies was well-nigh gone, and that they were fighting amid despair. The custom in the Federal army of making composite brigades, each containing regiments from several States, makes it impossible to cite any instances of endurance among these troops that can be compared with that of the First Confederate Kentucky Brigade. Still, the history of individual regiments will show that practically the same qualities belonged in many of the commands. It could be made clear, if space allowed the showing, that the best fighting material came from the richest and most elevated population of the Commonwealth, — those districts where education was the most general, and where the commands contained a large proportion of men who, by family and training, were the most natural leaders of action.

The destruction of life that took place during the war is not easily traceable. The returns of the adjutant-general show only the deaths reported to him. They do not include the loss from death or wounds, the hundreds of small fights between the Home Guards

and other irregular troops, and the raiding parties of the enemy. It is likely that the deaths by wounds in the two Kentucky armies amounted to at least ten thousand, and, as in all modern warfare, the loss on the battle-field was small compared with that which came from disease. This loss by disease was particularly heavy in the Kentucky troops, for the reason that the medical inspection of the troops was very slight; a vast number of boys and old men were taken into service, and among these the death rate is always large. In the cemetery at Andersonville alone there are the bodies of four hundred and ninety-two Federal soldiers from Kentucky regiments, not counting those who enlisted in the regiments of other States. It is probable that in the two armies the State lost not less than twenty thousand by unreported disease; to these must be added a vast army of men who, though living, stood beside their graves, shorn of their limbs, afflicted with internal disease bred by camp and march, or prematurely aged by the swift expenditure of force that such war demands. We will not be amiss in estimating that one half the manhood of the generation that had its centre of life in the sixth decade of this century was swept away or rendered unserviceable to the Commonwealth by the events of the war. A large part of the loss of life took place in small engagements that have no place in our histories. From a manuscript summary of the history of the war, from the pen of my friend Captain L. R. Hawthorne, it appears that there were one hundred and thirty-eight combats within the borders of the State.

The loss of property was proportionately as great as the loss of life. In 1862, despite the inflation of the currency, the auditor's report showed a falling off of

over fifty million dollars, a large part of the total value at the preceding census. In 1865 the whole valuation of the slave property, which, in 1860, was estimated at over a hundred million dollars, had entirely disappeared. The other elements of wealth, though measured in a currency that was inflated to the amount of fifty per cent., had greatly diminished. Although the war as carried on in Kentucky had been on the whole a singularly decent struggle, the actual destruction of property was very large. Nearly all the live stock was swept away. A considerable part of the houses had been burned; cattle and other stock had disappeared without compensation; fences were gone, and the forest, quick to recover its grasp on the rich soil, had changed vast districts of fertile fields into thickets that had to be rewon to the plough. Nor did the vast expenditure of money that took place in the rear of the Federal army prove of much advantage to Kentucky. At the time when the farmers might have profited by high prices, the able-bodied men were in the armies, and the greater part of their fields were tilled, only for scanty bread, by the hands of women, children, and the aged men. Although Kentucky suffered less than her rebellious sisters of the South, the shock to the Commonwealth arising from the conjoined loss of life and property defies expression in words, nor do the ordinary accidents of society supply any analogy. When a city is burned its men remain; a commercial crisis destroys neither the men nor the productive power of a State; a pestilence leaves the real property untouched; but the destruction of a long continued civil war is a thing by itself combining all the evils which an ordinary society can suffer, and adds to those a new element of ruin in the overthrow of the precious trust in civil government.

There was a pause of exhaustion after this time of trial that lasted for years, but it was not deep or long compared with the periods of inaction that in other countries have followed destructive civil wars. Still, when the reader asks why Kentucky and the other Southern States have remained so relatively inactive for the twenty years that have elapsed since the surrender of the Confederate armies, he may find his answer in the physical trials, the destruction of life, energy, and property, that the catastrophe of the Civil War brought upon the States that bore the real burden of the disaster; not the burden of taxation and of death alone, but added to these all the burdens of actual war.

The political history of Kentucky, which has been treated in connection with the history of the Civil War, is evidently the most curious chapter. The other really Southern States, with the exception of Missouri, show in their speedy secession the influence of the mob spirit which at once separates a community from the traditions of order upon which the development of a society depends. The most important point in the history of Kentucky is the fact that she alone escaped the contagion of excitement that swept her sister States into a hasty rebellion. The reasons for this happy deliverance are, as we have found, hard to describe. They may, however, be summed up in the following propositions.

First, the Kentucky population had been brought into a spirit of conservatism by their unhappy experience with the results of rash political action. The episode of the old and new courts, and the financial difficulties out of which that trouble grew, was a very valuable education of the public mind. It was the good fortune of Kentucky to be led out of this wilderness of

evil politics by men of strong conservative instincts, who had the power of imparting their motives to a very sympathetic people; chief among these conservators was Henry Clay.

The influence of this interesting man in national politics has turned out to be smaller than it seemed at the time of his death to be, but his generous, though compromising, spirit had a singularly wholesome effect upon a people overmuch inclined to rash political action. If we could accurately determine the origin of the singular deliberativeness that marked the Kentucky people during the Civil War, we should doubtless find that Clay's influence was of great moment in the determination of their attitude.

Next we should note the fact that Kentucky at this time was singularly rich in men of decided political capacity, and of fair training, if not in the science, at least in the art, of politics. The curious independence of the early stations and settlements led to the development of the political habit in many hundreds of families. While in the more Southern States the tendency of the life was to give the leadership into the hands of a few dominant families, in Kentucky the influences combined widely to diffuse the qualities of leadership. When many of the most distinguished families in Kentucky pronounced for secession, there still remained an ample supply of natural leaders to take charge of the resistance to that project which actuated the masses of the people.

In this problem of 1860, as in all other forms of political action, there was the utmost diversity of opinion. It is hardly too much to say that each thinking man was in his thoughts a party by himself, and only in his

actions a member of one of the two great political divisions that mark American politics.

This singular diversity of judgment was of much profit in the great trial, for it served to make a stampede into secession impossible. The secession party beat itself to pieces against this mass of diversified opinion; its small, but singularly compact and able force, that in other States drove the passive body of the people before it, made no real impression on the critical and contentious army of independent minded men who could neither be frightened into obedience, nor excited to premature violence. The first Confederate assault upon the State constitution was fairly broken by the steadfast disputation that it encountered. Against that babel of tongues its vigorous onset went to pieces.

The project of neutrality also grew out of this exceeding diversity of opinion. It is likely that when neutrality was determined on not more than one tenth of the white people could have been classed as secessionists, probably not more than that number as unqualified Union men, — that is, men who were willing to take the ground the Union men occupied after the emancipation proclamation. By far the larger part of the population were of a mind to do their duty by the Union as long as the constitution was respected. There was ever a strong love of the Federal government, but it was not the blind devotion of the followers of the Stuarts for their king, but a sober affection for the magnificent ideal of the American Union. The strongest sense of instinctive loyalty which existed in this eminently practical people was given to the State, where it historically and naturally belonged.

The intensity of the loyalty to the State differs very

much in the various American Commonwealths. In some of these communities where there has been little local history, the national idea is predominant. In others, where the population is coherent and homogeneous, and circumstances have given a large sphere of action to the State, the sense of devotion to the Commonwealth is very strong. This was the case in Kentucky, as is shown by the previous brief account. This State had worked out its history in a singularly separate and independent way. The fathers and grandfathers of the generation that was active in 1860 had built the structure of the Commonwealth through great trials, and with deeds of which their descendants were justly and honorably proud. In the prospective wreck of the Federal Union, which filled the people with the deepest regret, their first and proper care was to save their own community from overwhelming calamity. Out of this feeling came the neutrality project. It gave a period for observation during the swiftly developing, but at first obscure, motives of the more Southern States.

As soon as it became evident that there was cohesion enough in the Northern States of the broken Union to give a chance of holding the frame-work of the nation together, so that its total wreck could be avoided, the Kentucky people steadily inclined more and more away from the cause of the Confederacy. The very unanimity and want of deliberation of the action of the seceding Southern States destroyed day by day the sympathy born of the kinship of the people. When the provocation to resistance was given by Polk's action in seizing Columbus and Zollicoffer's invasion, it was welcomed as a reason for casting their lot with the Northern States.

As soon as this momentous step was taken, the people

of Kentucky were as a whole as decided as they heretofore had been considerate. The speed with which they filled their quota of troops, and the rapidity with which they provided money for the Federal needs, despite the fact that their State was the seat of war and had sent an army of over forty thousand men to the Confederacy, is remarkable. No other State in the Union gave proportionately so much or so freely to the contribution of men and money to the cause of the Union. Besides this inestimable contribution to the needs of the Union, the State had at all times a local force that was provided for domestic needs. The total contribution of Kentucky to the Federal army amounted to over eighty-six thousand men, exclusive of eleven thousand negroes enlisted into the United States army within the State.

The State Guard and Home Guard forces not counted in this estimate amounted in the average to not less than ten thousand men. Adding to it the men in the Confederate army, the whole contribution to the conflict amounted to a levy en masse on the population, and gives the State a just claim to having furnished to the Civil War more men, in proportion to its population and the duration of the struggle, than were ever furnished by any Commonwealth in any modern war.

No sooner had the war fairly begun than the people became aware that there were grave dangers menacing their civil law from the rash and tyrannical conduct of the military commanders of the Federal army. Without abating the energy of their efforts to second the military work of the Federal government, they, with equal determination and judgment, fought against this evil. They made little evident headway in this battle, — they were stemming an overwhelming flood of govern-

mental ills, — but they had the profit of their opposition in the conscientious and determined protest against the iniquitous system that strove to govern them by military juntas. They at least preserved their reverence for the system of civil government, and when the war ended they had the social order for which they struggled essentially unimpaired by the nefarious acts of those who should have been their friends.

The result of this strenuous though orderly struggle with the excesses of the military spirit and the wild legislation of the Republican Congress was to drive the State into intense political antagonism to the party that had the control of the government. This has unjustly been assumed to prove the essential sympathy of the Kentucky people with the Southern cause. No one who is at all conversant with the inner history of Kentucky can fail to see the error of this idea. The best soldiers of the Federal party, those who struck the hardest blows at the Confederacy, were the leaders in the antagonism to the militarism that was forced upon them. General Bramlette, one of the boldest and most effective of the original Union men, was a radical Republican in his humor when he came to the governorship, yet we find him driven into the fiercest antagonism against these methods. Colonels Jacob and Wolford, and a host of other good soldiers, were ready to do battle with one hand against the rebellion, and with the other to combat for the life of the civil law. While the Republican party in Congress was led by men who knew nothing of war, and was mostly supported by those to whom the war brought no immediate ills, this people, with the battle about their firesides, had a double com-

bat to wage. That they did not falter in either duty is much to their credit.

When the war ended, the parties in Kentucky were reorganized on new lines. The conduct of the Republicans in regard to the civil rights of the State during the active period of the struggle, the disgust arising from the emancipation of the slaves without compensation to loyal owners, the acts of the Freedman's Bureau, and other proceedings hostile to the governmental integrity of the State, arrayed an overwhelming majority of the people on the Democratic, which was then the Conservative, side.

Perhaps the most satisfactory feature in the close of the Civil War was the really quick restoration of the civil order in the State and the perfect reunion of the divided people. The prompt and complete abrogation of the severe penalties laid upon the Confederate soldiers and sympathizers greatly contributed to this speedy return to the conditions of peace. In this course the people of Kentucky set an excellent but unheeded example to the Federal government. By this action they avoided all risks of having a large part of their citizens parted in spirit from the life and work of the Commonwealth. This reconciliation was helped by the fact that both Federals and Confederates had played a manly part in the struggle. Not only had the soldiers in both parties shown themselves to be brave and manly men in the field, but the Kentucky troops on both sides had done all in their power to make war decent and honorable, and to lighten its burdens on non-combatants. They could wear their laurels and live their lives together without shame.

What was left of the forty thousand who went away

into the Southern service came back to their place in the State sadder and wiser men, yet the better citizens for their dearly bought experience. We search in vain for any evidence of hatred or even dislike among these men who were so lately in arms against each other. In all the walks of life, in the courts and in the legislature, as well as in the relations of kindred, we find these old enemies going together to their work of repairing the ruin that war had brought on the State. Fighting at times their battles over again in good-natured talk, but each dearer to the other for the fearful parting of the war.

The historian will always admire this episode of reconciliation. Something of it is now seen in the wiping out of enmity that came to the whole country after the deplorable reconstruction troubles of the South. In Kentucky, however, it came at once; there was no period of doubt, no hesitation in the return of peace. The spring of 1865 did not quicken the seed in the fields more speedily than it did the affection of these once parted children of Kentucky.

The financial management of the Commonwealth during the war next demands consideration. We have given this part of the history of Kentucky some attention up to the time of the outbreak of the rebellion. We have seen that the conservative education of the people had been in good part due to their early experiences in matters of finance, and that this training had led them to a singularly careful course in the matter of financial legislation and State expenditure. At the outset of the war the State owed $4,729,234.03; of this $1,381,832.03 was the "school bond," a debt only in name. In 1884 the nominal debt is $1,879,110.19, of

which $1,698,716.19 is the "school bond," or the sum on which the State agrees to pay interest to the common schools.

At various times during the war the Commonwealth was forced to borrow large sums of money to defray the expenses of placing the Federal troops in the field and maintaining her local forces; in this work she advanced to the Federal government over three million eight hundred thousand dollars. During and at the close of the war, there was received from the sale of the State's share in the assets of certain banks that closed their business, a large sum of specie, which was promptly sold at high prices and applied to the liquidation of her debt. The Federal government slowly repaid the three millions which had been advanced by Kentucky for war purposes. Thus, though the debt increased rapidly during the war, so carefully was it provided for by sinking funds and a strict economy in public expenditures, that in 1873 the State was in effect entirely out of debt. The only qualifications of this statement are as follows: The constitution provides that the State permanently owes to the school fund a debt of about two million of dollars in one bond. This was an ingenious way of securing the receipt of a school revenue from any chance of reckless legislation, and is not properly to be regarded as a debt. Besides this the Commonwealth owed, and in part still owes, the sum of $331,000 for bonds not due or payable. In order to have the sense of freedom from debt clear to the bucolic mind of Kentucky, a deposit of $350,000 in United States bonds was made in the New York bank where the State bonds were payable. This extraordinary precaution to clear away even the shadow of obligation to creditors is a singular proof

of the financial conscience of this people, as well as of their rather original methods in finance.

At no time during the Civil War, nor at any other time, have the bonds of Kentucky been defaulted in interest or in principal. At no time during the war was the State sorely pressed for money; the State banks and the citizens, principally the former, readily took the loans which were issued by the Commonwealth at their face value, trusting for their repayment to the sagacity and honesty with which her State treasury had always been managed, and apparently with no fear that the State itself would be imperiled by the struggle. Even when the government of the State was driven from the capital the people never for a moment lost their confidence in its promises to pay. This absolute trust of the people in their Commonwealth, even in the midst of war, is by no means the least important feature in the history of the time. It is in striking contrast with the lack of confidence in the ultimate Federal success, shown by the people of this country in their unwillingness to take the United States loans except at an extreme depreciation of their face value.

It may be remarked that this low price of the United States bonds is a clear evidence of the general doubt in the eventual result of the war; it shows that the judgment that the Union had gone to pieces, which was the basis of the Kentucky effort for neutrality, was the opinion of the business world, that best of all judges in such matters, as well as of the Union men of this country.

The business condition of Kentucky during the Civil War was better than it would have been if the State had been the seat of large manufacturing industries.

No country can withstand the shock of war so well as those that rely mainly on the soil for their support. A little tilling will give bread, and if left fallow the soil often has a profit from it.

This was the strength of the whole South. The negroes were generally indisposed to change their habits of labor, and they, with the old men and women, were sufficient to keep up the little tillage of the fertile soil necessary for food supply. With an average of fifty thousand men in the Federal service under pay, there was enough money to replace deficiencies arising from the neglect of the larger part of the fields. The result was that all suffering from famine, all impairment of the native strength of the people arising from deficient food, were avoided.

Great as was the destruction of the material basis of civilization, immeasurable as was the loss from the battle-fields and hospitals, the war left untouched the foundations of the State, its vigor of blood and its fertility of soil. It is doubtful if any Commonwealth ever escaped from such perils with so little in the way of vital, irremediable injury.

This glance at the history of Kentucky during the Civil War may lead us to a better understanding of the strength that inheres in the American State, when it has learned to live its individual life and to trust in its native institutions. In a period of national disaster, when the organization of the Federal government was for a while shaken to pieces, this unit of that structure holding firmly to its local government, even more firmly for the sense that the higher state had fallen to pieces, formed a bulwark to the cause of good government.

But for the sense of devotion to the State constitu-

tion and government that belonged in this people, the pro-slavery excitement would doubtless have enabled the secession element to sweep it into association with the seceding section. Undoubtedly the sense of States rights somewhat facilitated the action of the secession party in the Southern Commonwealths, and made it possible for them to be forced on the wave of the slavery agitation out of their allegiance to the Union. But its influence in this work has been exaggerated. In that contest the real battle was between antagonistic civilizations. States rights was only the nominal ground of the struggle, though to many it seemed the real ground.

Kentucky was the only Southern State where the principles of States rights found a due expression in this political excitement. She alone resolved to debate the question as a State, and to keep her action within the limits of her constitutional provisions. It was this sense of duty, by their own State laws, that gave time for the deliberate thought that ended in keeping the Commonwealth out of the rebellion. But for this sense of duty of the people of Kentucky by their Commonwealth, it seems pretty certain that the war would have come upon the North with much more difficult conditions, and the issue might have been very different from its happy end. With the Confederate battle line on the Ohio, and a hundred thousand more men behind it, who can say that the North would have won?

CHAPTER XXI.

THE NEW COMMONWEALTH.

We have in the preceding chapters disposed of all the trains of action that have worked out their principal effects in Kentucky; we must now pass from the historical to the present life of the Commonwealth. On this subject it will not be possible to say much without going beyond the narrow limits of this sketch of the State's history. But as the existing life is the child of that which is historical, we must not leave it untouched.

After the period of the Civil War there came a time of stagnation which is hardly yet passed away. Thus while the Northern States were moving forward on the way of wealth, profiting by the expansion that the war had given to their trade, while they were secured from the material losses of actual war, this Commonwealth has been relatively dormant, resting from the exhaustion of the great struggle, separating itself from the wreck of the olden time, and trying to find the clews to the new life before it. It was to shake off the theories of life proper to the seventeenth century and take on the ideas of the nineteenth.

Despite this natural torpor, after four years of tremendous struggle that used up the material and vital resources of a generation, there has been a good share of recuperative activity exhibited by the Commonwealth.

In 1873 the State set about the task of studying its resources by reconstituting its geological survey. An inquiry into its mineral wealth was begun in 1854 and continued until 1860, when the premonitions of war caused the State to set about the most rigid economy, and to discontinue all enterprises except those that had reference to immediate needs. This new survey has been maintained for twelve years at a very considerable cost. In the same period no other State except Pennsylvania, which has many times the wealth of Kentucky, has expended so much in this class of inquiries. Not only has the work been directed to the economic inquiries into the resources of the State, but the legislature has willingly approved a large amount of purely scientific work, which has no other end than the extension of those branches of learning which have an intellectual profit alone. Since the war, over two hundred thousand dollars has been spent in this important work of studying the nature and resources of the Commonwealth.

The question of immigration has received a very careful consideration both from the people at large and from their representatives. The quickest form of profit attainable by a State is gained by the immigration of well-trained and laborious people from other lands. Each adult man is, on the average, worth to society not less than three thousand dollars, and a part of his value goes at once into the property of every landowner in the place where he settles.

For a generation this tide of foreign life, frightened from those inviting fields by slavery, has drifted by the northern border of Kentucky, going to the west and north to fertilize and enrich the States of the North-

west. Many Kentuckians have earnestly desired to take the means of soliciting this immigration to the State; still, the majority has always been against any effort in the way of direct persuasion to induce the settlement of these people within the Commonwealth. Within the last five years the legislature has instituted a bureau of immigration, charged with the work of disseminating intelligence concerning the resources of the Commonwealth. It has refused to use a system of agents to solicit the coming of immigrants, in the way that a number of the newer States of the Northwest have done; some results are now coming from this action. A good many colonies of English and German and Swiss people have been founded in the State within the last five years, and their uniform prosperity has shown that the State affords very large opportunities for agricultural immigrants.

There is much to say for this qualified attitude of Kentucky towards immigrants. There is something undignified in the battle for the newly-landed immigrants at Castle Garden, and the solicitation of immigrants in Europe which is carried on by some of the Northwestern States. There is much that is perilous to a new American State in the accumulation of such aliens within its bounds. Kentucky has had the good fortune to inherit a nearly pure English blood. Aside from the diminishing negro population, the blood of the people is of a singularly unmixed origin. Her success in meeting the strains of the Civil War could not have been secured if its people had not had this singular unity of race and the solidarity of motive that it brought with it. While there are doubtless evils that come from this predominance of English stock and the consequent

uniformity of the motive of the people, leading as it does to a certain acceptance of existing conditions, there are other dangers, and graver, which come from the confusion of motives in the States that have a large foreign population, that are much more menacing to society.

While Kentucky is lagging behind in mere physical growth as compared with the other States, there is a rationality in the motive that leads to this slow going. It may fairly be asked that the verdict as to the policy of attracting immigrants by excessive inducements be deferred until the results of the experiment have been obtained, until the time comes for comparing the conditions of such a Commonwealth with the mixed blood of other States. Besides the want of immigration that arises from the unwillingness to seek their contribution of new blood by solicitation, there are other barriers that have hindered the coming of immigrants into Kentucky. The European immigrant is generally unwilling to enter into competition with negro labor; although Kentucky has but a small and diminishing proportion of black people, although there are large parts of the State entirely without negroes, the name of a slave State clings like a cloud over her reputation, and leads many people to go to other more distant and less fertile lands for their homes. There is, moreover, a practical obstacle arising from the difficulty with the land titles in Kentucky. The peculiarities of the patent system have already been noted, and the fact set forth that while this system was of great value to the State in the process of its settlement, it left the land titles of the less occupied districts in a very uncertain state. In the most populous parts of the Commonwealth, time

and the courts have settled the questions of boundaries and ownerships; but in the eastern part, and generally in the regions where the lands are low priced enough to encourage immigration, there is often a cloud of doubt over the land titles that is vexatious to the stranger.

All these influences have acted to retard the accumulation of population within the boundaries of the Commonwealth, and to leave its people to a greater extent unmixed with new European blood than in any Northern State. These hindrances are rapidly disappearing. The negroes are leaving the fields and gathering into the towns. The process of litigation is rapidly making an end of the difficulties concerning land titles, so that in a very few years these obstacles will pass away.

The census statistics given in the Appendix will show the fact that there was decided evidence of the recuperation from the effects of the war at the time when the census statistics of 1880 were gathered. In all the important arts there was a gain; and we may accept it as proven that all the material losses of the war had then been more than made good. The greatest and most regrettable retardation in the advance of the State has been in the system of education.

The public school system of Kentucky has never been in a satisfactory condition compared with the Northern communities, though, measured against the other Southern States, the showing is very good. The trouble has been that the scattered position of the population has made the gathering of the children for school purposes a very difficult matter; and next, that the standard of education has been low, an evil that Kentucky has shared along with the rest of the Southern States. New England started with a highly edu-

cated clergy and bar, and their educated character has been maintained with occasional exceptions; the clergy and bar of Kentucky have had little more than professional trainings; they have done their special work well, because of the native force and earnestness of their minds, but they have not acted as supporters of public education among the people, as the men of their class have done in New England.

There has always been a good old Saxon sense of the value of education. The earlier acts of the legislature abound in efforts to found schools; again and again, even in times of grave difficulty, the State has made great efforts to develop a good system of education. The constitution now in force made a permanent provision, in the form of a bond from the State, to pay a sum to the schools, which in its time was the largest contribution made by any Southern or Western State. This liberal help from the State, though meant for a benefaction, has been on the whole a curse to the educational system of the State; it made it possible to maintain some semblance of a school in every precinct of the Commonwealth for a few months in the year without any contribution from the local taxes. It taught the people to look to the State, rather than to themselves, for the maintenance of education. Here, more than anywhere else, we see the vicious system of county government by which the South is cursed, — an evil that even as much as slavery has served to retard its advancement in educational methods.

As is well known the important unit of government in all these States is the county, always a large area, averaging several hundred square miles in surface. All the political life centres about the county seat of this

county. Usually in Kentucky this "court house," as it is called, is on the average a dozen miles away from the home of the citizen; except he be a political leader or a man of the law, he only visits the county seat at long intervals and for matters of a large political nature. He votes at his precinct, generally at the school-house in his school-district; but this school-district is practically an administrative district with reference to the school alone. Its concerns are absolutely separated from the other affairs of the Commonwealth. All the political activity gathers about the county court house, where school affairs have no place in the discussions; all the matters that concern the schools are attended to by a small board of elected trustees.

In this system of county government there are no assemblies in which the people meet to discuss the affairs that most concern their life. The precious seed of the Folkmote, which was preserved in New England in the town system, never existed in the Virginia system of government. The political life is limited to the hearing of stump speeches, very interesting and profitable debates on the questions of large politics, but little helpful in such humdrum matters as schools, roads, and bridges. The result is that the life of the people went out to questions about the Resolutions of '98, the Missouri Compromise, and other national matters, and there has been little care for the equally precious local life. The result is that there have always been thousands of men in Kentucky hardly able to read or write who could enlighten a Yankee farmer on questions of national politics, but who had never given a thought to the district school. This absence of a good system of local government is the most serious difficulty in all the

States of the American Union outside of New England.[1]

While the elementary schools of the State have remained little cared for save by the State gift, which is barely enough to keep them alive, there have been numerous efforts to develop a higher education. Very early in the history of the State provision was made for the foundation of certain academies. In the beginning of the century the impulse towards higher education led to the establishment at Lexington of an excellent school called Transylvania University. This college had a short but brilliant career. In its time it had some very scholarly men among its teachers, and it trained a generation of fair students. It perished, however, under the malign influence of sectarian education. Each religious sect strove to keep those born into its fold from the risk of contamination by its brother Christians. Schools for Baptists, Methodists, and Presbyterians sprang up over the State, each with the name of college, but with generally little more than the system or resources of good high schools. It is the same dreary history which we read in the other parts of the Mississippi Valley; divide and be conquered by poverty seem to have been the issue of all the efforts for a higher education in that region.

One of these schools, that of the Presbyterians at Danville, though always poor in all but the spirit of scholarship, has done on the whole excellent work.

[1] It is an interesting fact that the New England States are the only Commonwealths that have secured that principle of local government which is the soul of the "State rights" doctrine. This has been given them by their system of division into towns. Despite their longing for a local system of control, the Southern States have missed the true way to it.

For more than fifty years Centre College has shown by its many well-trained graduates how well this people could profit by an extended higher education. If the efforts to create a university in Kentucky had led to the enriching of this excellent school, the State might now have an institution of higher learning worthy of its people.

It was not until the last year of the Civil War that any effort was made to create a school of high grade deserving the name of a university. In 1864, Colonel J. B. Bowman, a public spirited citizen, began an effort to bring together the nucleus of a true university. The newly given Agricultural College fund, arising from the grant of government lands, the remnants of the dead Transylvania University, and various other fragments, were skillfully patched together into a school of much promise. No sooner was it well started than in 1875 a fierce religious war broke out within its walls. At the end of five years this most promising effort to create a university came to an end, leaving the State without a single institution strong enough to carry the burden of the higher modern education. The State Agricultural and Mechanical School and the old Centre College are the only institutions that have more than the semblance of life and growth.

The educational problem is by far the most serious of all the difficulties before this State. The neglect of education has gone so far that it jeopardizes the future influence of the people in the affairs of the nation. Hitherto the natural talents of the people, given them by the admirable accidents of selection that secured to the Commonwealth the most vigorous blood of America, have served them well, have enabled them to keep a

permanent place in all the arts of war or peace. As long as the native strength of this people, unhelped by training, was matched against equally untrained people from the other Western States, there was no State in the Mississippi Valley that had anything like the power of giving able men for all needs that was manifested in Kentucky. This is seen in the history of legislation, trade, and war in the decades of this century down to the end of the rebellion. In the war Kentucky produced more good soldiers than any other equal population of the West, and at the present moment she has a large number of her sons in important public positions; but these men, with rare exception, have owed their promotion to the gifts of nature, unhelped by education. The time when men could win without the aid of training is rapidly passing away. It can hardly be hoped that the native talent of this people will enable them much longer to keep the lead in the race for dominance. In another generation they will certainly be left behind by their less well endowed but more aptly trained competitors, unless they meet the needs of education with the same courage and self-sacrifice with which they have faced the other dangers and difficulties of their development.

We may accept the fact that it will not be possible to create an adequate machinery like the New England town system, which can take charge of the schools and support them from local contributions. Even the adventurous Jefferson, who well knew and much admired the advantages of this New England system, never ventured to plan the introduction of this system of town government in the South. Nothing is so difficult as to alter the methods of local government of a country.

There is hardly a case in history where these governmental units of the State, once firmly placed, have been much changed by enactments. Inasmuch as there is no hope of developing good schools by local support, it will be necessary to maintain the public schools by the direct action of the State. To do this well will require at least the doubling of the revenue available for supporting the State school system in its primary grades.

The condition of the civil law in Kentucky at the present time demands especial consideration, for the reason that there is a large amount of misconception concerning the matter. It is commonly supposed that this is a region where crimes meet with lax punishment and where people are much given to uncontrolled violence.

It is not to be denied that there is a good deal of ordinary homicide in Kentucky. This is not a new feature in the life of the State, or of the race to which its people belong; it dates as far back as the time of settlement. Men of the type of people who made the State in the olden day were not as a rule gentle natured; they had a full share of that brutal English stuff in them which has given their kindred the control of the world. This homicidal humor was no invention of Kentucky; it was in the fierce blood of their ancestors. The first generation of Kentuckians grew amid a war with savages, a war that knew no refinements, when prisoners were rarely taken, and when the enemy's wounded were killed or left to die uncared for. All personal quarrels were settled by fighting, — sometimes by a rough and tumble contest, or, in more serious cases, with a duel. Until within a few years it was common at the election places on the polling days for any one to declare himself the "best man on the ground," with

the offer to "lick" any one who denied it. Some one was pretty sure to take up the challenge; then the antagonists would have a fight as unlimited in its conditions as that between two dogs. Among the better classes the contests were always with the form of the duel. So extensive was this practice that it became a very serious evil. As early as 1814 all judicial officers and attorneys at law were required to take an oath that they had not had anything to do with a duel since a certain date, and that they would not engage in any during their term of office.[1]

At other and later times various acts proscriptive of this method of settling disputes were passed with very severe penalties attached. Gradually the practice of dueling was pretty thoroughly broken up, but in its place came the greater evil of "shooting at sight." Men who had a serious dispute would send each other word that when they met they would have it out with their pistols or their knives. Although homicide of this nature was murder in the eye of the law, the jury that tried the murderer were always inclined to regard the offense as palliated by the "notice," so no one was severely punished for the crime. The laws against dueling were much in advance of the public sentiment of the people, which has always held to the opinion that certain personal wrongs were to be avenged with the life of the enemy. So in place of the regulated murder of the duel this legislation gave the public the much more savage and demoralizing street fight.

This evil is only to be explained by the relative low value that this people have hitherto set upon life. In all primitive civilizations life is little valued. It is only

[1] Collins, i. p. 27.

in communities where the enforcement of the law has gone on uniformly for a long time that men learn to give life a supreme place among the goods of the world. The combatant habit of old times has been kept in existence in Kentucky, while all the other circumstances of civilization have grown as they have done in the rest of the world. There are many signs that this disgraceful survival of an ancient bloodthirstiness is diminishing, and is soon to pass away. It is the last remnant of the "Elizabethan spirit" in the South.

In considering the question of homicide in Kentucky, it should be remembered that, although the personal combats are frequent, other forms of outrage against the person are of very rare occurrence. Murder for money is almost unknown, and is swiftly and sternly punished. The ugly category of violent crimes against women, so common in more cultivated communities, has scarcely a place in its history, and such outbreaks of degraded passion arouse to perfect fury this community, which has not yet been brought to consider a combat to the death between men as out of the order of nature.

For many years there was no small trouble arising from the disposition to replace the regular working of the law by the spasmodic justice of Judge Lynch's courts. This evil has been in good part overcome. Ever since the closing of the war the State authorities have shown a commendable anxiety to put down all such outrages. Whenever there has seemed a risk of lynching, troops have been furnished to guard the prisoners. Only a year ago a battalion of State troops, guarding a wretched murderer, were compelled to fire on a mob at Ashland, Kentucky. In resisting these

lynchers, who were endeavoring to board a steamer in which the culprit was being taken to a place of safety, a dozen lives, partly those of innocent spectators, were lost. Such terrible lessons will soon make an end of this class of misdemeanors, which are as much condemned by the serious people as they are in any other society.

The disturbances of this description have mainly been limited to the easternmost part of the State; certain counties in Eastern Kentucky, noticeably the county of Breathitt, have been the seat of the principal mob outrages. In this region there are certain blood feuds, the heritage of the Civil War; in these feuds the decent citizens have been settling accounts with members of guerrilla bands who committed outrages in the Civil War. On the one side are arrayed those who fought in the two armies and their descendants; on the other, a clan of outlawish folk who belonged to neither side. This isolated region has been more or less engaged in the settlement of these old disputes ever since the close of the Civil War. The district has suffered much loss of life in this chronic struggle; it seems at length to be over; the dangerous element has been "eliminated" by the use of the rifle, or has taken itself away to other lands. The small remainder of the folk who hold the ground celebrated last year the return of peace by building a large school-house at the county seat. Even in the worst days of this "Breathitt War," when the courts, if held at all, were under a heavy military guard, the county was safe to peaceable citizens and to travelers of all degree, except those who could be suspected of being on the lookout for illicit distillers. Yet the people in this district are, in the main, a manly, frank-

natured folk, and were always ready to interrupt their occupations to entertain the wayfarer who demanded their hospitality.

These fierce, bloodthirsty qualities will speedily disappear before the softening process of civilization; all experience shows us that an appetite for open combat, blood feuds, and other savageries of this sort, often coexist with admirable qualities of head and heart. In this people they certainly are associated with generous natures, and a singular freedom from the lower vices that are found among many less unruly peoples. The condition of these "hill people" has much to remind us of the Scotch Highlanders a century ago; in a generation that folk passed from a rather lawless people to quiet citizens. As soon as roads are made into their wilderness, so that they can make money, avarice, that master passion of the race, will soon subdue this archaic vice of violence.

The civil law of Kentucky, in its application to property, is in excellent condition; justice is quickly and cheaply rendered. The same sound commercial instinct that led the people sooner than any other Western State to a good system of banking, has served to keep them in a good way in their property law. There is now an intermediate court between the circuit and appellate court, but this arrangement has only been voted on trial for the term of four years. The next and final step in litigation is to the appellate court; the reputation of this court, among jurists, is not what it was in the days before the judges were elected by the people; it has, however, always been confidently looked to for justice, even under circumstances of great political excitement and wide-spread prejudice.

In its motives the Kentucky law still retains much of the old British humor; it is full of the traditions of the country whence it came. It is interesting to note that the last instance of a prisoner profiting by the *beneficium clericale*, or benefit of clergy, occurred in a Kentucky court. The case was as follows: a negro was on trial for the crime of rape before Judge Richard Buckner, in the Circuit Court of Glasgow, in Barren County. As the offense was against a white woman, the prisoner had to meet the bitter prejudice of the jury. A verdict of guilty, which carried with it the death penalty, was returned, though, in the opinion of the judge, the man was clearly innocent of the crime. The benefit of clergy was as yet unrepealed in Kentucky, and in it the sagacious judge found a way of escape from the task of sending to the gallows a man whom he believed to be innocent. He directed the prisoner's counsel to ask the benefit of clergy for his client. Then he directed the clerk of the court to test the prisoner in reading the Constitution of the United States; he having proven that he could read, the court ordered him to be burned in the hand and discharged from custody. In 1847 the legislature abolished the benefit of clergy.[1]

The moral condition of the State in regard to matters of which the law takes imperfect cognizance is satisfactory. The vices of gambling and drunkenness, once grave evils, have very greatly diminished since the close of the Civil War. The evil of intemperance in drink has undergone a very singular diminution within ten years. There is probably no State in the Union where the

[1] Colonel John Mason Brown, of Louisville, informs me that he has examined into the record of this incident, and that the facts are as given above.

recent betterment in this respect has been greater. It is interesting to note that this improvement has been indigenous, and that it has not been accomplished through any process of law; there is a statute that permits the local divisions, called precincts, to prohibit the sale of spirits, if they elect so to do. This method of suppression is here and there in use, but it has not been generally adopted. The cessation of intemperance is a spontaneous and apparently permanent reaction against the excesses of early days; coming swiftly and silently, it constitutes one of the most interesting changes of the social practice that has ever taken place in any American community.

Lastly, we may note the fact that the State has as yet escaped the degradation of the marriage relation, arising from the extreme increase of divorce that is so rapidly becoming a menacing evil in other States. Except among the negroes the family relations seem to be in a very satisfactory condition.

As a whole the social order of this Commonwealth, considering the fierce impulses derived from its early life, is in an eminently satisfactory condition. The history of the Commonwealth gives us one of the most encouraging chapters in the history of our English race; it shows us that its blood, entirely separated for two centuries from its parent influences, can carry on its development on the American soil, undiminished in vigor, and true to its original motives.

APPENDIX A.

THE RESOLUTIONS OF 1798.

THE Resolutions of 1798, as is well known, were intended as a protest against the unconstitutional action of the Federal Congress in enacting the alien and sedition laws. In this protest the States of Virginia and Kentucky intended not only to manifest their deep displeasure on account of the passage of these acts, but to give publicity to the interpretation which they put upon the Federal Compact. On this account these resolutions have a great political importance.

The original record of the Kentucky Resolutions was lost by fire, and for many years it has been believed by the students of the history of that Commonwealth that no attested copy of the original was in existence.

Knowing that a copy of the document had been sent to the Governor of Massachusetts, it seemed to me worth while to search for it in the archives of the secretary's office of that Commonwealth. The search was kindly undertaken by the present secretary, Henry B. Pierce Esq., and fortunately resulted in the discovery of the copy given below.

The document is neatly printed, and in a perfect state of preservation. It may therefore fairly be taken as an exact copy of the original.

KENTUCKY LEGISLATURE.

In the House of Representatives, November 10, 1798.

The House, according to the standing order of the day, resolved itself into a Committee of the Whole on the state

of the Commonwealth, Mr. Caldwell in the chair. And after some time spent therein the Speaker resumed the chair, and Mr. Caldwell reported that the Committee had, according to order, had under consideration the Governor's Address, and had come to the following Resolutions thereupon, which he delivered in at the clerk's table, where they were twice read and agreed to by the House.

I. *Resolved*, that the several States composing the United States of America, are not united on the principle of unlimited submission to their general government; but that by compact under the style and title of a Constitution for the United States and of amendments thereto, they constituted a general government for special purposes, delegated to that government certain definite powers, reserving each State to itself, the residuary mass of right to their own self-government; and that whensoever the general government assumes undelegated powers, its acts are unauthoritative, void, and of no force: That to this compact each State acceded as a State, and is an integral party, its co-States forming, as to itself, the other party: That the government created by this compact was not made the exclusive or final judge of the extent of the powers delegated to itself; since that would have made its discretion, and not the Constitution, the measure of its powers; but that as in all other cases of compact among parties having no common Judge, each party has an equal right to judge for itself, as well of infractions as of the mode and measure of redress.

II. *Resolved*, that the Constitution of the United States having delegated to Congress a power to punish treason, counterfeiting the securities and current coin of the United States, piracies and felonies committed on the high seas, and offenses against the laws of nations, and no other crimes whatever, and it being true as a general principle, and one of the amendments to the Constitution having also declared "that the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people," therefore also the same act of Congress passed on the 14th day of July, 1798, and entitled "An act in addition to the act entitled an act for the punishment of certain crimes against the United States;" as also the act passed by them on the 27th day of June, 1798, entitled "An act to punish frauds committed on the Bank of the United States" (and all other their acts

which assume to create, define, or punish crimes other than those enumerated in the Constitution), are altogether void and of no force, and that the power to create, define, and punish such other crimes is reserved, and of right appertains solely and exclusively to the respective States, each within its own Territory.

III. *Resolved*, that it is true as a general principle, and is also expressly declared by one of the amendments to the Constitution that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people;" and that no power over the freedom of religion, freedom of speech, or freedom of the press being delegated to the United States by the Constitution, nor prohibited by it to the States, all lawful powers respecting the same did of right remain, and were reserved to the States, or to the people: That thus was manifested their determination to retain to themselves the right of judging how far the licentiousness of speech and of the press may be abridged without lessening their useful freedom, and how far those abuses which cannot be separated from their use should be tolerated rather than the use be destroyed; and thus also they guarded against all abridgment by the United States of the freedom of religious opinions and exercises, and retained to themselves the right of protecting the same, as this State, by a law passed on the general demand of its citizens, had already protected them from all human restraint or interference: And that in addition to this general principle and express declaration, another and more special provision has been made by one of the amendments to the Constitution which expressly declares, that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press," thereby guarding in the same sentence, and under the same words, the freedom of religion, of speech, and of the press, insomuch, that whatever violates either, throws down the sanctuary which covers the others, and that libels, falsehoods, defamation equally with heresy and false religion, are withheld from the cognizance of Federal tribunals. That therefore the act of the Congress of the United States passed on the 14th day of July, 1798, entitled "An act in addition to the act for the punishment of certain crimes against the United States," which does abridge the freedom of the press, is not law, but is altogether void and of no effect.

IV. *Resolved*, that alien friends are under the jurisdiction and protection of the laws of the State wherein they are; that no power over them has been delegated to the United States, nor prohibited to the individual States distinct from their power over citizens; and it being true as a general principle, and one of the amendments to the Constitution having also declared that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people," the act of the Congress of the United States passed on the 22d day of June, 1798, entitled "An act concerning aliens," which assumes power over alien friends not delegated by the Constitution, is not law, but is altogether void and of no force.

V. *Resolved*, that in addition to the general principle as well as the express declaration, that powers not delegated are reserved, another and more special provision inserted in the Constitution from abundant caution has declared, "that the migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year 1808." That this Commonwealth does admit the migration of alien friends described as the subject of the said act concerning aliens; that a provision against prohibiting their migration is a provision against all acts equivalent thereto, or it would be nugatory; that to remove them when migrated is equivalent to a prohibition of their migration, and is therefore contrary to the said provision of the Constitution, and void.

VI. *Resolved*, that the imprisonment of a person under the protection of the laws of this Commonwealth on his failure to obey the simple order of the President to depart out of the United States, as is undertaken by the said act entitled "An act concerning aliens," is contrary to the Constitution, one amendment to which has provided, that "no person shall be deprived of liberty without due process of law," and that another having provided "that in all criminal prosecutions, the accused shall enjoy the right to a public trial by an impartial jury, to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense," the same act undertaking to authorize the President to remove a person out of the United States who is under the protection of the law, on his own suspicion, with-

out accusation, without jury, without public trial, without confrontation of the witnesses against him, without having witnesses in his favor, without defense, without counsel, is contrary to these provisions also of the Constitution, is therefore not law, but utterly void and of no force. That transferring the power of judging any person who is under the protection of the laws, from the courts to the President of the United States, as is undertaken by the same act concerning aliens, is against the article of the Constitution which provides, that "the judicial power of the United States shall be vested in courts, the judges of which shall hold their offices during good behavior," and that the said act is void for that reason also; and it is further to be noted, that this transfer of judiciary power is to that magistrate of the general government who already possesses all the executive, and a qualified negative in all the legislative powers.

VII. *Resolved*, that the construction applied by the general government (as is evinced by sundry of their proceedings) to those parts of the Constitution of the United States which delegate to Congress a power to lay and collect taxes, duties, imposts, and excises; to pay the debts, and provide for the common defense, and general welfare of the United States, and to make all laws which shall be necessary and proper for carrying into execution the powers vested by the Constitution in the government of the United States, or any department thereof, goes to the destruction of all the limits prescribed to their power by the Constitution: That words meant by that instrument to be subsidiary only to the execution of the limited powers ought not to be so construed as themselves to give unlimited powers, nor a part so to be taken as to destroy the whole residue of the instrument: That the proceedings of the general government under color of these articles will be a fit and necessary subject for revisal and correction at a time of greater tranquillity, while those specified in the preceding resolutions call for immediate redress.

VIII. *Resolved*, that the preceding Resolutions be transmitted to the Senators and Representatives in Congress from this Commonwealth, who are hereby enjoined to present the same to their respective Houses, and to use their best endeavors to procure, at the next session of Congress, a repeal of the aforesaid unconstitutional and obnoxious acts.

IX. *Resolved*, lastly, that the Governor of this Commonwealth be, and is hereby authorized and requested to communicate the preceding Resolutions to the Legislatures of the

several States, to assure them that this Commonwealth considers Union for specified National purposes, and particularly for those specified in their late Federal Compact, to be friendly to the peace, happiness, and prosperity of all the States: that faithful to that compact according to the plain intent and meaning in which it was understood and acceded to by the several parties, it is sincerely anxious for its preservation: that it does also believe, that to take from the States all the powers of self-government, and transfer them to a general and consolidated government, without regard to the special delegations and reservations solemnly agreed to in that compact, is not for the peace, happiness, or prosperity of these States: And that, therefore, this Commonwealth is determined, as it doubts not its co-States are, tamely to submit to undelegated and consequently unlimited powers in no man or body of men on earth: that if the acts before specified should stand, these conclusions would flow from them; that the general government may place any act they think proper on the list of crimes and punish it themselves, whether enumerated or not enumerated by the Constitution as cognizable by them: that they may transfer its cognizance to the President or any other person, who may himself be the accuser, counsel, judge, and jury, whose suspicions may be the evidence, his order the sentence, his officer the executioner, and his breast the sole record of the transaction: that a very numerous and valuable description of the inhabitants of these States being by this precedent reduced as outlaws to the absolute dominion of one man, and the barrier of the Constitution thus swept away from us all, no rampart now remains against the passions and the powers of a majority of Congress, to protect from a like exportation or other more grievous punishment the minority of the same body, the legislature, judges, governors, and counselors of the States, nor their other peaceable inhabitants who may venture to reclaim the constitutional rights and liberties of the State and people, or who for other causes, good or bad, may be obnoxious to the views or marked by the suspicions of the President, or be thought dangerous to his or their elections or other interests, public or personal: that the friendless alien has indeed been selected as the safest subject of a first experiment, but the citizen will soon follow, or rather has already followed: for, already has a sedition act marked him as its prey: that these and successive acts of the same character, unless arrested on the threshold, may tend to drive these States into

revolution and blood, and will furnish new calumnies against Republican governments, and new pretexts for those who wish it to be believed, that man cannot be governed but by a rod of iron: that it would be a dangerous delusion were a confidence in the men of our choice to silence our fears for the safety of our rights: that confidence is everywhere the parent of despotism: free government is founded in jealousy and not in confidence; it is jealousy and not confidence which prescribes limited Constitutions to bind down those whom we are obliged to trust with power: that our Constitution has accordingly fixed the limits to which and no further our confidence may go; and let the honest advocate of confidence read the alien and sedition acts, and say if the Constitution has not been wise in fixing limits to the government it created, and whether we should be wise in destroying those limits; let him say what the government is if it be not a tyranny, which the men of our choice have conferred on the President, and the President of our choice has assented to and accepted over the friendly strangers, to whom the mild spirit of our country and its laws had pledged hospitality and protection: that the men of our choice have more respected the bare suspicions of the President than the solid rights of innocence, the claims of justification, the sacred force of truth, and the forms and substance of law and justice. In questions of power then let no more be heard of confidence in man, but bind him down from mischief by the claims of the Constitution. That this Commonwealth does therefore call on its co-States for an expression of their sentiments on the acts concerning aliens, and for the punishment of certain crimes herein before specified, plainly declaring whether these acts are or are not authorized by the Federal Compact. And it doubts not that their sense will be so announced as to prove their attachment unaltered to limited government, whether general or particular, and that the rights and liberties of their co-States will be exposed to no dangers by remaining embarked on a common bottom with their own: That they will concur with this Commonwealth in considering the said acts as so palpably against the Constitution as to amount to an undisguised declaration, that the compact is not meant to be the measure of the powers of the general government, but that it will proceed in the exercise over these States of all powers whatsoever: That they will view this as seizing the rights of the States and consolidating them in the hands of the general government with a

power assumed to bind the States (not merely in cases made Federal) but in all cases whatsoever, by laws made, not with their consent, but by others against their consent: That this would be to surrender the form of government we have chosen, and to live under one deriving its powers from its own will, and not from our authority; and that the co-States, recurring to their natural right in cases not made Federal, will concur in declaring these acts void and of no force, and will each unite with this Commonwealth in requesting their repeal at the next session of Congress.

EDMUND BULLOCK, S. H. R.
JOHN CAMPBELL, S. S. P. T.

Passed the House of Representatives Nov. 10, 1798.
Attest: THOMAS TODD, C. H. R.

In Senate, Nov. 13, 1798, unanimously concurred in.
Attest: B. THRUSTON, *Clk. Sen.*

Approved Nov. 16, 1798.
JAMES GARRARD, G. K.

By the Governor.
HARRY TOULMIN,
Secretary of State.

COMMONWEALTH OF MASSACHUSETTS.
SECRETARY'S DEPARTMENT, Boston, *October* 20, 1884.

A true copy of the original, on file in this Department.
Witness the Seal of the Commonwealth.
HENRY B. PIERCE,
[L. S.] *Secretary.*

APPENDIX B.

THE following tables are taken from the statistics of the tenth census of the United States. They are intended to give the reader a basis on which to criticise some of the general statements in the foregoing pages, and not as a statistical account of the Commonwealth, a task that is beyond the purpose of this very limited book.

The reader who desires to extend his knowledge of the

statistics of the State should consult the tables of the last census. The following indications will aid him in an effort to understand the movements of population to and from Kentucky. In volume 1, p. 417, of the statistics of the tenth census he will find a map showing the residence of the natives of Kentucky in that as well as other States. This will show how large has been the emigration from Kentucky to the Northwestern States. The map on page 273 of the same volume shows the relative amount of the foreign-born population in Kentucky and the States bordering it on the north:—

TABLE I.

NATIVE WHITE POPULATION OF KENTUCKY DISTRIBUTED ACCORDING TO STATE OR TERRITORY OF BIRTH.

PLACE OF BIRTH.	NUMBER.
United States	1,317,725
Kentucky	1,149,994
Alabama	1,502
Arkansas	1,024
California	125
Connecticut	340
Delaware	153
Florida	68
Georgia	1,807
Illinois	5,522
Indiana	18,104
Iowa	802
Kansas	335
Louisiana	962
Maine	261
Maryland	1,950
Massachusetts	787
Michigan	385
Minnesota	82
Mississippi	1,417
Missouri	4,887
New Hampshire	181
New Jersey	701
New York	3,715
North Carolina	8,946
Ohio	26,769

Table I. continued.

Pennsylvania	5,952
South Carolina	1,211
Tennessee	46,828
Texas	624
Vermont	252
Virginia	30,193
West Virginia	1,677
Wisconsin	240
District of Columbia	187

TABLE II.

SHOWING NUMBER OF THOSE BORN IN KENTUCKY RESIDENT IN OTHER STATES AND TERRITORIES.

Alabama	2,624
Arkansas	18,039
California	7,851
Colorado	3,786
Connecticut	155
Delaware	45
Florida	668
Georgia	1,136
Illinois	61,920
Indiana	73,928
Iowa	12,920
Kansas	32,978
Louisiana	6,564
Maine	42
Maryland	422
Massachusetts	502
Michigan	1,732
Minnesota	2,151
Mississippi	7,844
Missouri	102,799
Nebraska	4,034
Nevada	578
New Hampshire	47
New Jersey	483
New York	1,720
North Carolina	365
Ohio	32,492

Table II. continued.

Oregon	2,754
Pennsylvania	1,829
Rhode Island	76
South Carolina	194
Tennessee	24,868
Texas	34,121
Vermont	28
Virginia	2,087
West Virginia	4,361
Wisconsin	1,410

TABLE III.

SHOWING THE NATIVITIES OF FOREIGN-BORN POPULATION IN KENTUCKY.

Austria proper	142
Belgium	105
Canada	1,010
Denmark	73
Baden	2,668
Bavaria	3,352
Hamburg	95
Hanover	2,264
Hessen	1,381
Nassau	187
Oldenburg	610
Prussia	6,657
Saxony	522
Würtemberg	1,368
Germany, not specified	11,212
England	4,100
Ireland	18,256
Scotland	982
Wales	394
Holland	262
Italy	370
Poland	124
Russia	63
Sweden	95
Switzerland	1,130
Total	59,517

TABLE IV.

NATIVE COLORED POPULATION OF KENTUCKY ACCORDING TO STATE OR TERRITORY OF BIRTH.

Kentucky	252,618
Alabama	352
Arkansas	112
Georgia	364
Illinois	152
Indiana	341
Louisiana	282
Maryland	307
Mississippi	566
Missouri	530
North Carolina	792
Ohio	346
Pennsylvania	80
South Carolina	319
Tennessee	7,558
Texas	117
Virginia	6,322
West Virginia	59
Wisconsin	78
Total American born	271,448

The foregoing tables show the origin and in a general way the distribution of the Kentucky people. It should be noticed that when in the census tables the number of immigrants from any other State, or the Kentuckians settling in any other State, are less in number than fifty they have no place in the table, though counted in the totals.

The most important conclusion to be drawn from these tables is that Kentucky has received a much less considerable number of people from other countries than she has sent to other States of this Union. In 1880 the total number of persons born in Kentucky and then resident beyond the State amounted to about 380,000, while those born in other States of this Union and resident in Kentucky amounted to about 168,000. In other words, Kentucky has of late been sending out more than twice the number of persons that she has re-

ceived from the other American States. In the early decades of the century the proportion of these two movements was even more diverse.

Next we note that the greater part of this immigration into Kentucky has been from immediately adjacent States. Ohio, Indiana, Tennessee, Missouri, and Virginia have furnished more than half the total number. On the other hand, the emigrating Kentuckians have as a whole gone to more remote States.

The relatively little emigration of the negroes is also well shown by these tables. It will be seen that less than twenty thousand of the blacks, or about one fourteenth of the population, were born in other States.

TABLE V.

POPULATION OF KENTUCKY DURING THE LAST TEN DECADES.

1880.	1870.	1860.	1850.	1840.	1830.	1820.	1810.	1800.	1790.
1,648,690	1,321,011	1,155,684	982,405	779,828	687,917	564,135	406,511	220,955	73,677

It will be seen from the foregoing table that the rate of increase has been remarkably steady for the decades since 1810. The most noticeable difference being in 1830–40, when the emigration to the Western States was very great. The disturbances of the Civil War made but a slight interruption.

Table VI. shows that the negroes and whites in Kentucky are almost equally fecund, the negroes having a slight but unimportant superiority in the number of births in the thousand; but among the negroes the proportion of male and female children is almost exactly the same, or 208 to 207, while among the whites the males exceed the females at birth in the proportion of 126 to 122. This proportion is approximately maintained through life.

Between ten and fifteen years of age an important change is observed: the negro children of that age form less than

TABLE VI.

Population of Kentucky by Specified Age, Sex, and Color.

Ages.	All Classes.			White.			Colored.		
	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.
Under 5 years	248,347	126,241	122,106	206,717	105,343	101,374	41,630	20,898	20,732
5 to 9 years	236,845	119,925	116,920	197,187	100,137	97,050	39,658	19,788	19,870
10 to 14 years	207,380	105,641	101,739	173,312	88,386	84,926	34,068	17,255	16,813
15 to 19 years	176,093	87,503	88,590	147,232	73,270	73,962	28,861	14,233	14,628
20 to 24 years	167,873	82,706	85,167	138,563	68,594	69,969	29,310	14,112	15,198
25 to 29 years	126,112	63,437	62,675	103,974	52,736	51,211	22,138	10,674	11,464
30 to 34 years	100,226	50,677	49,549	84,611	43,106	41,505	15,615	7,571	8,044
35 to 39 years	88,967	44,331	44,636	74,693	37,438	37,255	14,274	6,893	7,381
40 to 44 years	71,089	35,368	35,721	59,810	30,033	29,777	11,279	5,335	5,944
45 to 49 years	58,653	29,132	29,521	49,800	25,026	24,774	8,853	4,106	4,747
50 to 54 years	53,320	27,913	25,407	44,644	23,440	21,224	8,656	4,473	4,183
55 to 59 years	35,794	19,083	16,711	30,963	16,494	14,469	4,831	2,589	2,242
60 to 64 years	30,555	16,218	14,337	25,755	13,852	11,903	4,800	2,366	2,434
65 to 69 years	20,107	10,591	9,516	17,292	9,113	8,179	2,815	1,478	1,337
70 to 74 years	13,637	7,155	6,482	11,440	6,154	5,286	2,197	1,001	1,196
75 to 79 years	7,493	3,826	3,667	6,384	3,300	3,084	1,109	526	583
80 to 84 years	3,960	1,876	2,084	3,200	1,563	1,637	760	313	447
85 to 89 years	1,407	663	774	1,137	559	578	270	104	166
90 to 94 years	486	196	290	305	131	174	181	65	116
95 to 100 years	161	58	103	91	39	52	70	19	51
100 and over	185	50	135	49	16	33	136	34	102
Totals	1,648,690	832,590	816,100	1,377,179	698,757	678,422	271,511	133,833	137,678

one ninth of the total of that race, while the white children of that age amount to over one eighth of the total population of their blood. Between the ages of twenty-five and twenty-nine the same feature is not discernible; the negroes then have established themselves in their conditions, and afterwards have a promise of longevity quite equal to the whites.

As far as statistics go the principal differences between the races in Kentucky seem to be: that the negroes have a larger proportion of female births, a larger infant mortality, and, after middle age, a greater expectation of life, though the well-known fancy of old blacks for claiming a greater age than they have attained doubtless vitiates this part of the statistics.

TABLE VII.

TABLE SHOWING THE RELATIVE PRODUCTION AS COMPARED WITH OTHER STATES, OF CERTAIN AGRICULTURAL STAPLES IN KENTUCKY, IN SUCCESSIVE DECADES.

	1840.	1850.	1860.	1870.
Wheat	First	Ninth	Ninth	Eighth
Maize	Second	First		Sixth
Rye	Fourth		Fifth	Fifth
Tobacco	Second	Second	Second	First
Flax	Third	First	Third	Eighth
Hemp		First	First	First
Cotton	Eleventh			Twelfth
Swine	Second	Second	Fourth	Fifth
Mules	Second	Second	Second	Third
Value of home (or household) manufactures	Third		Second	Third

This table shows the degree to which the climate and soil of Kentucky are adapted to a varied agriculture. It will be observed that in each decade the Commonwealth is foremost among the States of the American Union in the production of some one or more staples.

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